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THE 1963 UNITED STATES ARMS EMBARGO AGAINST SOUTH
AFRICA: INSTITUTION AND IMPLEMENTATION

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**THE 1963 UNITED STATES ARMS EMBARGO AGAINST SOUTH
AFRICA: INSTITUTION AND IMPLEMENTATION**

BY

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SUMMARY

Title: The 1963 United States arms embargo against South Africa: Institution and Implementation.

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From especially the 1950's, campaigns had been launched by the Afro-Asian nations in the United Nations for the institution of mandatory sanctions against South Africa. In all the early campaigns, South Africa had rather enjoyed the support of the United States, although the latter had always verbally condemned the South African policy of apartheid. When Kennedy became United States president in January 1961, this fact was due to change. In August 1963, an arms embargo was instituted against South Africa by the Kennedy Administration in an attempt to bring the verbal condemnation of apartheid in line with active action. The arms embargo, although not mandatory, was the first concrete, practical step taken by the United States in its opposition to the apartheid policy of the South African Government. In 1977 the embargo was strengthened to become a mandatory one.

The purpose of this study is to analyse the institution as well as the implementation of the arms embargo by the different United States Administrations up to 1977. By doing that, the observer can judge the relative commitment of the United States to the arms embargo from president to president, thus drawing a wide conclusion on the role that South Africa played in the foreign policy objectives of the United States in the years that the arms embargo was in effect. The Afro-Asian clearly had an impact on the formulation of this policy, and part of the purpose of this study is to establish just how big that impact was. In order to do this, a wide selection of archival material as well as newspaper reports, articles in journals, governmental publications and some secondary sources were researched. The outcome is the conclusion that although the different

United States Administrations from Kennedy to Carter generally adhered to the arms embargo, the implementation there-of depended mainly on what role the embargo played in the foreign policy objectives of each of these Administrations. For some, like Nixon and Ford, the strategic importance of South Africa weighed heavier than gaining the favour of the African nations, in comparison with Kennedy and Johnson who followed a midway. They didn't want to loose the privileges that the United States had in South Africa, while at the same time they wanted to appease the African countries in the United Nations. In the case of Carter, the implementation of the arms embargo was directly based on gaining the favour of the African nations, resulting in the institution of a mandatory arms embargo in October 1977. A future study on the role of that embargo in the formulation of the United States foreign policy, will be conducted as continuation of this study.

OPSOMMING

Titel:	The 1963 United States arms embargo against South Africa: Institution and Implementation.
Deur:	Martha Susanna van Wyk
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Departement:	Geskiedenis en Kultuurgeskiedenis
Graad:	Magister Artium (Geskiedenis)

Vanaf die 1950's veral, is uitgebreide veldtogte deur die Afro-Asiatiese lande in die Verenigde Nasies vir die instelling van verpligte sanksies teen Suid Afrika gevoer. In al die vroeëre veldtogte, het laasgenoemde voortdurend die ondersteuning van die Verenigde State van Amerika (VSA) geniet, alhoewel daardie land altyd die Suid-Afrikaanse apartheidsbeleid mondeling veroordeel het. In Januarie 1961 het Kennedy die president van die VSA geword, en daarmee het die ondersteuning van Suid-Afrika stadig maar seker begin afneem. In Augustus 1963 het die Kennedy-administrasie 'n wapenverbod teen Suid-Afrika ingestel in 'n poging om die mondelinge veroordeling van apartheid in lyn te bring met aktiewe optrede. Die wapenverbod, alhoewel dit nie verpligtend was nie, was die eerste konkrete, praktiese stap wat deur die VSA in sy opposisie teen die apartheidsbeleid van die Suid-Afrikaanse regering geneem is. In 1977 is die verbod uitgebrei na 'n verpligte een.

Die doel van hierdie studie is om die instelling sowel as die implementering van die wapenverbod deur die verskillende Amerikaanse Administrasies tot en met 1977, te analiseer. Deur dit te doen, kan die navorser die relatiewe verbintenis van die VSA tot die wapenverbod beoordeel en sodoende 'n wye gevolgtrekking maak oor die rol wat Suid-Afrika gespeel het in die buitelandse beleidsdoelwitte van die VSA gedurende die jare wat die verbod ingestel was. Die Afro-Asiatiese nasies het beslis 'n impak gehad op die formulering van hierdie buitelandse beleid, en deel van die doelwit van hierdie studie is om te bepaal hoe groot daardie impak werklik was. Ten einde by hierdie gevolgtrekking te kon uitkom, is 'n wye verskeidenheid argivale materiaal sowel as koerantberigte,

tydskrifartikels, regeringspublikasies en literatuur bestudeer. Die uitkoms van hierdie navorsing is die gevolgtrekking dat alhoewel die verskillende VSA regerings vanaf Kennedy tot Carter oor die algemeen die wapenverbod ondersteun het, die implementering daarvan hoofsaaklik afhanklik was van die rol wat die verbod in die buitelandse beleidsdoelwitte van elkeen van hierdie Administrasies gespeel het. Vir party, soos byvoorbeeld Nixon en Ford, het die strategiese waarde van Suid-Afrika vir die VSA swaarder geweeg as die guns van die Afrikalande, in vergelyking met Kennedy en Johnson wat 'n middeweg gevolg het. Hulle wou nie die voordele wat die VSA in Suid-Afrika gehad het, verloor nie, maar terselfdertyd wou hulle ook die Afrikalande tevrede stel. In die geval van Carter, was die implementering van die wapenverbod direk gebaseer op die guns wat die VSA in die Afrikalande kon geniet. Dit het gelei tot die instelling van 'n verpligte wapenverbod teen Suid-Afrika in Oktober 1977. 'n Verdere studie oor die rol wat daardie verbod in die formulering van die Amerikaanse buitelandse beleid gespeel het, sal as 'n opvolg tot hierdie studie onderneem word.

Keywords: arms, embargoes, resolutions, military cooperation, military relations, foreign policy, punitive measures, diplomatic pressure, arms transfers, anti-apartheid measures.

Sleutelwoorde: wapens, boikotte, resolusies, militêre samewerking, militêre verhoudinge, buitelandse beleid, strafmaatreëls, diplomatieke druk, wapenoordragte, anti-apartheidsmaatreëls.

ABBREVIATIONS

ARMSCOR	Armaments Corporation of South Africa
BOSS	Bureau of State Security
CIA	Central Intelligence Agency
FNLA	Frente Nacional de Libertação de Angola (The National Front for the Liberation of Angola)
ICAO	International Civil Aviation Organisation
MPLA	Movimento Popular de Libertação de Angola (People's Movement for the Liberation of Angola)
NASA	National Aeronautics and Space Administration
NATO	North Atlantic Treaty Organisation
SA	South Africa
UN	United Nations
UNITA	União Nacional para a Independência Total de Angola (The National Union for the Total Independence of Angola)
US/USA	United States/United States of America

CHAPTER 1

PROBLEM STATEMENT, AIM AND METHODOLOGY

1.1 INTRODUCTION

The sharpening of the world struggle against colonialism in the period since the Second World War brought victories on every continent of the world. Especially in Africa it brought political independence within twenty years to practically every former colonial territory north of the Zambezi River. The emergence of these independent states in Africa started to slowly but surely force changes in the United States policy towards Africa and also in its voting behaviours in the United Nations.¹ It was during this time that South Africa gradually became the 'black sheep' of the world community, primarily since it had a white minority government, in relation to the rest of Africa where the end of colonial rule had brought about black majority governments. South Africa also held a mandate over South West Africa (presently known as Namibia), and stubbornly refused to give it up - thus gaining the wrath of the world community even more.

Despite all the campaigns that for the above reason had been launched against South Africa in the United Nations by the Afro-Asian Bloc especially in the 1950's, South Africa had rather enjoyed the support of the United States. The latter had abstained from supporting and had sometimes even vetoed almost every resolution directed against South Africa by the Afro-Asian nations, although it expressed some strong verbal opposition against the South African policy of race segregation. The reason for this was that the foreign policy of the United States during the years after the Second World War had been marked by caution, compromise and the tendency to maintain a low profile. This policy even had a name. It was called the Acheson policy after a directive by Dean Acheson, United States Secretary of State in the period 1949 - 1953. In line with this policy, the United States reasoned that the United Nations was not competent to intervene in the domestic matters of South Africa, or any other country for that matter. However, from 1958 this slowly started to change. In that year, the United States

1. ANC of South Africa, *Great Power Conspiracy*, p. 1; D. Prinsloo, *United States Foreign Policy and the Republic of South Africa*, p. 48.

Department of State's Bureau of African Affairs was created, and, for the first time, the United States voted for a United Nations resolution which expressed concern and regret over the South African race segregation policy. After that, some systemic relations between the United States and South Africa gradually emerged, although the United States continued to reject the imposition of punitive measures against South Africa. A restriction on the sale of arms to South Africa formed part of these suggested punitive measures.²

The emerging systemic relations between South Africa and the United States in the early 1960's were especially evident from the exchanges between the South African Minister of Foreign Affairs, Eric Louw, who defended the policy of apartheid at the United Nations, and the United States Ambassador to the United Nations, Francis Plimton, who in turn attacked the policy of apartheid. Louw often led South African delegations to the United Nations. The tension could also be seen in exchanges with the United States Assistant Secretary of State for African Affairs, G. Mennen Williams, who declared that because of minor changes in United States operations, such as the insistence that black repairmen be allowed to work on the United States missile tracking station in South Africa, there was an increased level of tension in the relations between the United States and South Africa. Another role player was Adlai Stevenson, who succeeded Plimton as United States Ambassador to the United Nations. He diplomatically held off the challenges by the African and Asian nations in the United Nations for extreme punitive measures against South Africa for as long as he could.³

What were the objectives of the United States in actually supporting South Africa by opposing such measures? Part of the answer to this is that the United States had important military and economic interests in South Africa. South Africa was furthermore of great strategic importance to the United States. This included free access to the sea route around the Cape, which was especially important in case the Suez Canal had to be closed during times of war. Then there was the factor of South Africa being a proven and committed Western ally in terms of global conflict, like the First and Second World Wars.

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2. R.W. Walters, *The Formulation of United States Policy toward Africa, 1958 - 1963*, D.Phil thesis, The American University, 1971, p. 331; D. Prinsloo, *United States Foreign Policy and the Republic of South Africa*, p. 48.
 3. R.W. Walters, *The Formulation of United States Policy toward Africa, 1958 - 1963*, D.Phil thesis, The American University, 1971, pp. 331, 334.

After the Second World War, this role somewhat changed when South Africa became part of the United States (and NATO⁴) strategic planning for the South Atlantic and Indian Oceans. Lastly, the South African Government's opposition to communism made it a staunch ally to the United States. The whole issue of anti-communism indeed seemed to play such a big role in the formulation of the United States foreign policy, that the African National Congress, a black South African liberation movement, expressed its concern in the mid-1960's that the United States was blinded by anti-communistic hysteria.⁵

The institution of a United States arms embargo against South Africa in August 1963 was a new and dramatic move from the side of the Kennedy Administration. It was followed a few days later by the institution of a United Nations arms embargo against South Africa, which the United States supported. Both steps were obvious attempts by the United States to bring its verbal condemnations of the South African racial policy into line with its policy pronouncement amid rather heated external and internal pressure. The arms embargo was unique because it required from the United States Government the imposition of actual penalties on South Africa. It should be noted that an embargo is not a sanction nor a boycott. An embargo is merely a measure that prohibits the sale of certain specified products to a certain country, where-as a sanction usually means that no buying from or selling to a specified country are allowed. Sanctions usually means that all trade relations, and sometimes even diplomatic relations with a specified country are being ceased. When a country is boycotted, it means that it is prohibited to buy anything from that country.

The arms embargo served two purposes for the United States. Firstly, the United States believed that the political situation in South Africa justified the refusal to sell any item to South Africa that could be used in the enforcement of the apartheid policy. And, secondly, the United States wanted to avoid the possibility that any actions by the United States could be branded as acquiescence in the racial policies of the South Africa Government. However, the fact that the decision to institute the arms embargo was only reached in August 1963, heightened the importance of the United States delegation at

4. North Atlantic Treaty Organisation.

5. R.W. Walters, *The Formulation of United States Policy toward Africa, 1958 - 1963*, D.Phil thesis, The American University, 1971, p. 334; D. Prinsloo, *United States Foreign Policy and the Republic of South Africa*, p. 56; ANC of South Africa, *Great Power Conspiracy*, p. 22.

the United Nations in defending United States interests in the interim. But once the United Nations Special Committee on Apartheid was formed at the end of 1962, it became clear that the issue of apartheid had to be seriously dealt with by the United States Government in order to bring satisfaction especially to the Afro-Asian nations who were pressing for sanctions against South Africa. For these Afro-Asian nations, the arms embargo constituted nothing else than a compromise from the part of the United States. They regarded it as an alternative to mandatory economic sanctions against South Africa. Furthermore, it was felt that the step taken by the Kennedy Administration could not have been a very difficult one, as the United States, unlike Britain and France, was not burdened by any traditional military relationship or responsibility to South Africa.⁶

1.2 THE AIM OF THE STUDY

The aim of this study is to analyse the institution of the arms embargo against South Africa by the Kennedy Administration in 1963, as well as the implementation of that embargo by the different United States Administrations up to 1977. One may ask why such a study is important. The answer to this question is that the arms embargo was the first concrete, practical step taken by the United States in their opposition to the apartheid policy of the South African Government, which the United States regarded as inhumane. Close scrutiny of the implementation of the arms embargo allows the observer the opportunity to judge the seriousness that the United States had assigned to that policy. In other words, the observer can judge the relative commitment of the United States to the embargo from president to president, thus drawing a wide conclusion on the role that South Africa played in the foreign policy objectives of the United States, especially with regard to Africa, in the years after the Second World War. It is also important to note the role that the Afro-Asian nations in the United Nations played in the formulation of this policy, and part of the aim of this study is to establish just how big that role was.

6. D. Prinsloo, *United States Foreign Policy and the Republic of South Africa*, p. 48; M.T. Klare, Evading the embargo: Illicit U.S. arms transfers to South Africa, *Journal of International Affairs* 35(1-2), Spring/Summer 1981 - 1982, p. 16; R.W. Walters, *The Formulation of United States Policy toward Africa, 1958 - 1963*, D.Phil thesis, The American University, 1971, p. 331; S. Landgren, *Embargo Disimplemented - South Africa's Military Industry*, pp. 7, 205; S. Gervasi, *The United States and the arms embargo against South Africa: Evidence, denial and refutation*, p. 27.

Much of what has been written on the arms embargo against South Africa dealt with the loopholes in the policy, illegal transfers of military equipment to South Africa and the development of the indigenous South African arms industry as a direct result of the arms embargo. This was particularly the case with the mandatory arms embargo that the United States instituted against South Africa in 1977. That however lies beyond the timespan of this study. The focus of this study will not be on these factors, but rather on the implementation of the 1963 arms embargo up to 1977, and the forces that determined the ways in which it was implemented.

1.3 METHODOLOGY AND DISCUSSION OF THE MAJOR SOURCES

Because most of what has been written on the arms embargo deals either with the last few years of the 1963 arms embargo before the institution of the mandatory 1977 embargo, as well as that embargo, and not much has been written on the initial implementation of the embargo, especially in the 1960's, this study has demanded intensive research. There are very few secondary sources available on the implementation of the 1963 arms embargo. The researcher was forced to rely on bits and pieces from general historical literature, literature on the foreign policy of the United States, one or two books on the South African military development and some articles by authors who were determined to prove that there were loopholes in the 1963 arms embargo.

Starting with articles, it was found that most of the articles that were studied, were severely critical of the United States Government as well as South Africa. Furthermore, few articles could be found that dealt specifically with the 1963 arms embargo. Many were written just before or just after the institution of the 1977 mandatory arms embargo, touching either just barely on the 1963 embargo or arguing in detail about loopholes in the 1963 embargo as reasons why a mandatory arms embargo had to be instituted. This pointed to sympathy with the demands of the Afro-Asian nations in the United Nations. Most of the articles on the loopholes in the embargo were published by two totally independent authors, namely Sean Gervasi and Michael Klare, in several different journals. These articles were useful to the extent of providing some information on the transfer of arms to South Africa, but it was found that they were very one-sided,

subjective and rather critical of the United States Government's adherence to the arms embargo. For example, some loopholes in the embargo and illegal arms transfers were identified that in fact were not really loopholes nor illegal transfers, but mostly civilian equipment sold to South Africa. Gervasi also published a pamphlet in 1978, called *The United States and the arms embargo against South Africa: Evidence, denial and refutation*, in which he published in full his testimony before a Congressional hearing in 1977, as well as the testimonies by government officials in which all his allegations of circumventions of the embargo were denied. The way in which it was compiled though, as well as the way in which the title was formulated, were early signs of the subjectivity of the source. He published a few articles with this pamphlet as basis. There were some useful articles though, like the one published by Charles Diggs Junior in *The Black Scholar* in February 1972, entitled "My resignation from the United States delegation". The value of this article lies in the fact that it was a direct consequence of the first ever United States delegate to resign his post at the United Nations because he could not go along with the United States policy of the time, namely to veto a resolution calling for a mandatory arms embargo against South Africa under Chapter VII of the United Nations Charter. In this article, Diggs provided clear-cut reasons for his action, making it an article that was not based on speculation like so many others. Lastly, it was established that very few articles were published in the journal *Africa Report*, which is being distributed by the *African-American Institute*, a black United States anti-apartheid movement. This is rather surprising if one considers the general anti-South African tone of this publication. The journal is especially known for its outspoken criticism of the South African Government. Only one article could be found for the purpose of this study, and it was one by Sean Gervasi entitled "Under the NATO umbrella". It was published in the *Africa Report* of September 1976, and although it gave an indication of the military ties between South Africa and the United States through NATO, most of the statements in the article could not be substantiated from official United States sources.

Turning to literature, a most useful source was a book written by the United States historian Thomas Noer, namely *Cold War and Black Liberation: The United States and White Rule in Africa, 1948 - 1968*. It is based on sound research, and includes a number of pages with a solid, chronological description of the institution of the arms embargo as well as the policy objectives behind the implementation there-of by the Kennedy and Johnson Administrations. Another very useful book was one called *United States policy*

and the Republic of South Africa, written by Daan Prinsloo. At the time of writing this book, Prinsloo was a Senior Research Fellow at the Foreign Affairs Association in Pretoria. He was also a regular news commentator on South African and international affairs. The value of the book lies in the analyses of the relationship between South Africa and the United States up to the first fifteen months of the Carter Administration, from a South African point of view. Other sources that were also useful in analysing the foreign policy of the United States specifically with regard to South Africa, were two doctoral studies, one by Ronald Walters, called *The formulation of United States policy toward Africa, 1958 - 1963*, and the other by Stephen Metz, called *The anti-apartheid movement and the formulation of American policy towards South Africa, 1969 - 1981*. However, these sources only gave a general overview of the United States policy towards South Africa, and just touched on the role that the arms embargo played in the formulation of that policy. Thus, the search was continued for literature that dealt specifically with the United States military policy towards South Africa in the period while the 1963 embargo was effective. One book in this regard that proved useful, was *U.S. military involvement in Southern Africa*, published by the Western Massachusetts Association of Concerned African Scholars (WMACAS). On the other hand, the work was found to be a bit disappointing, as it was a compilation of the articles of Klare and Gervasi and other similar works, making it a source based more on propagandism rather than an objective view of the implementation of the arms embargo. Thus, it was found to be sympathetic towards the anti-apartheid movement in the United States. Other literature where some information on the 1963 embargo could be found, mostly dealt with the development of the South African arms industry, especially after the institution of the 1977 mandatory embargo. Accordingly, a mere short overview of the 1963 embargo was offered in most of these sources. Thus, other sources dealing specifically with the 1963 arms embargo had to be sought, resulting in an intensive search for newspaper articles and other primary sources.

In the research done for relevant newspaper articles, it was decided not to focus only on United States press reports, but also reports by the South African media. This was done with the aim of getting a clear and objective view, by comparing the articles from the different newspapers. It was decided to mainly focus on one major United States newspaper as well as one major South African newspaper. For this purpose, the United States *New York Times* and the South African *Die Burger* were chosen. This proved to

be a very interesting part of the research process, as newspaper reports more often than not mirror the general public feeling of the day. The *New York Times* was found to have a more objective view than that of the other newspapers that were studied. It seems as if its aim was to spread relevant news rather than politicising and expressing its own view, in comparison with the South African *Die Burger*, which always had a subtle patriotic side to its articles. Other South African newspapers like *The Pretoria News* and especially *Die Vaderland*, also tended to let their own political views surface in their articles. However, one thing about the South African newspapers that may be worthwhile mentioning, is the fact that they had often run with a speculation before the real facts were known. This was true in a number of cases where reports on the arms embargo were concerned. The Afrikaans newspapers in particular were found to be rather sympathetic to the South African Government.

The biggest part of this study is based on archival research, which proved to be a difficult process for a number of reasons. In the first place, the timespan of this study is quite recent - it is a contemporary study. Therefore, South African archival sources on the subject was mainly inaccessible and still classified. Most of the South African archival material was stored by the Department of Foreign Affairs. During the last year or so, this material has slowly been transferred to the National Archives in Pretoria. The problem that however surfaced when one wanted to study these documents, was that although they appeared in the index of the National Archives, they had not yet been transferred from the Department of Foreign Affairs. By the time of the completion of this study, very few of these documents were available for studying. Thus, it was decided to turn to the Armscor Archives, for which special permission had to be obtained. Valuable materials are held by that institution, but here again a problem surfaced. Most of this material dealt with the 1977 mandatory arms embargo, and not the 1963 embargo. These documents will be used in a doctoral study on the 1977 arms embargo, which will be a continuation of this study.

It is true that the lack of South African archival materials on the subject left a void, but, on the other hand, such archival materials were not essential for this study. The reason behind this statement is that the emphasis of this study is primarily on United States policy and the implementation there-of. Therefore, United States sources that were available, could be used. An extensive collection of United States archival materials is

being held by a South African researcher on United States relations with South Africa during the Cold War period. The material in his possession proved to be extremely valuable and from a wide range of United States archives. For this study, documents from the United States National Archives and from the Libraries of President John F. Kennedy and President Lyndon B. Johnson, were scrutinized for their usefulness. Another very valuable source of primary materials is a microfiche collection of United States National Security Archives, dating from 1962 to 1989, that is being held in the library of the University of Pretoria. Also of great value, is a published series containing primary documents like speeches, reports and statements, with Arthur M. Schlesinger as general editor. It is entitled *The Dynamics of World Power: A documentary history of United States foreign policy, 1945 - 1973*. The fifth volume in this series deals specifically with Africa, and was consulted for this study. But even within such a collection, incorrect data can be found, as was indeed the case with a statement on the United States vote on the United Nations arms embargo against South Africa by a United States delegate to the United Nations, Charles Yost, before the Security Council on 7 August 1963. Schlesinger indicated that Yost was the United States Ambassador to the United Nations. Because none of the other sources used could substantiate this fact, the researcher launched an investigation into the matter and found that Adlai Stevenson was still the United States Ambassador to the United Nations at the time of Yost's speech, and that the latter was merely a member of the United States delegation to the United Nations.

Last but not least, United States government publications were found to be the most useful sources. Two publications by the United States Government Printing Office on Congressional hearings on the 1963 arms embargo were specifically consulted. These were the most detailed of any of the other sources that were used. The United States Government also publishes the *Department of State Bulletin*, which contains speeches, resolutions, laws and numerous other related documents. On the South African side, the government publication *Hansard*, which contains the annual parliamentary debates, was scrutinized, but no specific debate on the implementation of the arms embargo could be found.

In conclusion, one can say that the finding of relevant sources for this study was a long and difficult task. It was however very satisfying, especially when the information that has been found in subjective sources, could be tested against official documents. The

putting together of all the small pieces of information into one detailed description, can easily lead to subjectivity, but all the care has been taken to make this study as objective as possible, and it is hoped that it will be regarded that way.

CHAPTER 2

UNITED STATES POLICY ON MILITARY COOPERATION WITH SOUTH AFRICA, 1961 - 1963

2.1 INTRODUCTION

The arms embargo that the United States instituted against South Africa in August 1963, was not a matter that had been decided upon overnight. It was preceded by numerous heated arguments in the United Nations General Assembly on the South African Government's policy of apartheid, especially during the turbulent period after the Sharpeville massacre of 21 March 1960 in which 69 blacks were killed during South African police action against mass demonstrations held to protest against the compulsory passes that the blacks had to carry. The United States, among others, was regularly accused by the Afro-Asian nations of supplying the South African Government with arms, and consequently they continuously called for a complete trade boycott and arms embargo against South Africa. The Kennedy Administration had always vetoed such major steps, but as early as November 1961 it had already realised that military relations with South Africa could create a major predicament for the United States. Consequently, some serious concerns on the issue of military cooperation with South Africa were raised. The whole issue of military cooperation with South Africa thus soon had become a headache for the Kennedy Administration, because it realised that the South African Government's policy of apartheid had become a primary target of the Afro-Asian countries in the United Nations, as well as of a large segment of public opinion in the United States and Western Europe, making it difficult for the United States Government to show any support of South Africa whatsoever.¹

1. R. Leonard, *South Africa at War: White power and the crisis in Southern Africa*, p. 132; J.P. McWilliams, *Arm Scor, South Africa's arms merchant*, p. 13; A.M. Schlesinger, Jr (Ed), *The Dynamics of World Power: A documentary history of United States Foreign Policy, 1945 - 1973*, p. 432; Papers of President John F. Kennedy, National Security Files, Box 2. **Letter:** Chester Bowles to McGeorge Bundy, 1961-09-21.

2.2 UNITED STATES MILITARY RELATIONS WITH SOUTH AFRICA REVIEWED

When Kennedy assumed office as United States president in January 1961, military cooperation with South Africa fell within a category of mutual benefit. In late 1960, South Africa had agreed to the establishment of a United States missile tracking station near Pretoria. It was a one year contract which was to expire on 31 December 1961. Thus, Kennedy faced a deadline for renewal of the contract. He was dedicated to the space programme of the United States as well as the United States military's need for uninterrupted missile testing. Thus, negotiations were held with the South African Government in mid-1961 for the extension of the contract, during which the latter made it clear that it would renew the contract if the United States would assist in the South African arms build-up. Given the fact that there was a lot of opposition to South Africa in the United Nations at that stage, especially by the Afro-Asian nations, the United States Ambassador to the United Nations, Adlai Stevenson, strongly opposed any new arms sales to South Africa. Dean Rusk, Kennedy's Secretary of State, was sympathetic to Stevenson's concerns, but he also reminded Stevenson that the missile station was necessary for United States security.² Stevenson however did not share Rusk's sentiments on the matter, and responded as follows:

"Relations with the rest of Africa, and especially the new states, are important to our security too".³

Chester Bowles, the United States Under Secretary of State, shared Stevenson's concerns. In November 1961, he addressed a letter to McGeorge Bundy, Special Assistant to President Kennedy, in which he raised his concern about the difficult situation that he felt the United States faced in relation to the agreement with South Africa on the missile tracking station. Bowles felt that as a result of the agreement, the United States found itself under direct and indirect pressure to make concessions to South Africa, which Bowles felt would be costly to the United States in the United Nations, as well as to United States relations with the world in general. A few problems related to this problem: Naval manoeuvres involving United States warships with additional vessels from the South African and British navies, with Portuguese observers, were scheduled for late October and early November 1961. Had it not been for the

2. T.J. Noer, *Cold War and Black Liberation*, p. 134.

3. As quoted in T.J. Noer, *Cold War and Black Liberation*, p. 134.

leverage provided to the South African Government by the tracking station, the United States would not have considered participating in these manoeuvres. Furthermore, the impact in the United Nations when reports of these manoeuvres became known, had to be carefully weighed. At the same time, South Africa was considering the purchase of \$100 000 worth of aircraft from a United States corporation, a transaction that required licenses. If it was not for the tracking station, the United States Government reaction would certainly be negative in view of the fact that public opinion generally would assume that the primary use of these planes would be to suppress internal disorder in South Africa. Bowles believed that if the United States were forced to take these actions, it would probably have to pay a heavy political price in view of a highly explosive United Nations session in which the attitudes of the Afro-Asian countries would have been of decisive importance.⁴

In May 1962, the Department of State issued a memorandum that it had prepared in consultation with other interested Departments and Agencies. In this memorandum, the importance of United States economic and military interests in South Africa were discussed in the light of the policy problems that it created. One particular issue that almost always surfaced when United States military cooperation with South Africa was discussed, was the importance of the sea lanes around the Cape of Good Hope and the use of South African ports. It had been regarded by several United States Governments as of great importance in peace-time and essential in times of war or whenever the Suez Canal would be closed to Western naval and merchant shipping. Another issue was the unique location of South Africa for the tracking of missiles and satellites. If the United States tracking facilities in South Africa were to be lost, it would have constituted a painful blow to the United States military space programme, at least until other reasonably adequate substitutes could be found. Thus, the main policy problem that the United States had, was that it desired to obtain privileges in the military and space field while South Africa desired to purchase certain military equipment from the United States. The memorandum stated that some of these South African desires could be met, while certain types of equipment could not be approved in the absence of a meaningful change in the apartheid policy of the South African Government, as the provision of such

4. Papers of President John F. Kennedy, National Security Files, Box 2. *Letter*: Chester Bowles to McGeorge Bundy, 1961-09-21; T.J. Noer, *Cold War and Black Liberation*, p. 134.

equipment might aid the enforcement of this particular policy.⁵

In concluding the above memorandum, certain objectives and lines of action were suggested, greatly emphasizing the role that anti-communism played in the formulation of United States Government policy. Indeed, one of the long-term objectives of the United States (over a period of ten years) was to inhibit the so-called

*“great potentialities for race warfare and genocide, Communist infiltration and possible eventual control, and the orientation of much of Africa along racist lines as a reaction to large-scale killings of both black and white people that may occur when the racial majority of South Africa became well-organized, armed and radically indoctrinated.”*⁶

Also emphasized as a long-term objective was that the basic alignment of South Africa as a strategic area with the Western Powers remained an objective of the world-wide policy of the United States, although close relations with South Africa would only become desirable when its external policies have further evolved. In conclusion, it was recommended that the United States had to continue cooperating with South Africa in the military field in matters that related to external security and those directly related to communist subversion.⁷

In June 1962, the matter of United States relations with the South African Government was discussed by the Political Committee of the United States *Advisory Council on African Affairs*. It was noted that, on the one hand, the United States was unalterably and publicly opposed to the apartheid policy of the South African Government on moral, political and economic grounds - an opposition that had been made clear both in the United Nations and in private diplomatic approaches to the South African Government. On the other hand, the United States had maintained cordial relations on all matters which did not relate to apartheid, such as scientific and cultural cooperation and exchange, space vehicle tracking stations and trade. In line with this policy, arms, ammunition or military equipment which could be used to suppress the black majority, were not to be sold to South Africa. Shortly afterwards, in a secret memorandum, this

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5. Papers of President John F. Kennedy, National Security Files, Box 2, p. 7: **Memorandum**: Republic of South Africa: Department of State guidelines for policy and operations, May 1962.
 6. As quoted in Papers of President John F. Kennedy, National Security Files, Box 2, p. 7: **Memorandum**: Republic of South Africa: Department of State guidelines for policy and operations, May 1962.
 7. Papers of President John F. Kennedy, National Security Files, Box 2, p. 7: **Memorandum**: Republic of South Africa: Department of State guidelines for policy and operations, May 1962.

fact was again emphasized as one of the United States Government's policy objectives, although it had been recognized that the cutting of arms shipments could pose difficulties in the face of the then expanding United States space and military programme.⁸

In the meantime, the world community became increasingly outspoken on the subject of apartheid. For example, the *Guardian*, a British newspaper, in April 1962 pleaded the institution of at least an arms embargo against South Africa. In June 1962 the Ghanaian president, Kwame Nkrumah, strongly attacked countries who rendered military assistance to South Africa. He said that the Security Council of the United Nations consistently declared that the racial discrimination in South Africa was threatening world peace, but in reality some of the permanent members of the Security Council, for example the United States, were openly supplying the South African Government with weapons. These and other comments slowly started to tighten the screw on United States policy concerns with relation to South Africa, a fact that somewhat worried significant role players in the United States Government, like Adlai Stevenson. His concerns were clear from a telegram he addressed to the United States Secretary of State on 20 September 1962. Stevenson was quite aware of the feelings that especially the Afro-Asian countries in the United Nations had concerning South Africa. He stated clearly in the telegram that he suspected a generally negative posture during the United Nations General Assembly meeting on Africa, which was due for October 1962, and suggested that the United States Secretary of State describe to key African foreign ministers some of the United States' arms control policies vis-a-vis South Africa.⁹

Stevenson had been proven correct in his assertion. The Afro-Asian countries strongly recommended the institution of sanctions against South Africa, and tried their utmost to gain enough votes (a two-thirds majority) for this step to be taken. The United States however did not support them in this action, claiming that it was the responsibility of all the member states of the United Nations to persuade the South African Government that apartheid was wrong, and that sanctions would not work. The debate was further

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8. National Archives Washington, D.C., General Records of the Department of State, Records of G. Mennen Williams, Box 15, Subject File 1961 - 1966, Advisory Council on African Affairs, 1962: pp. 3-4, *Report*: Advisory Council on African Affairs - Political Committee; Papers of President John F. Kennedy, National Security Files, Box 2, p. 20: *Secret memorandum*: The White Redoubt, 1962-06-28.
 9. *Burger*, Die, 1962-04-19, Wapenboikot teen Suid-Afrika gevra; *Burger*, Die, 1962-06-22, Skerp aanval oor militêre hulp aan S.A.; Papers of President John F. Kennedy, National Security Files, Box 2: *Telegram*: Stevenson to Secretary of State, 1962-09-20.

intensified by the Soviet Union attacking the United States for ignoring the issue of human rights in favour of its investments in South Africa and for using the latter to protect its military and economic position in the southern part of Africa. Francis Plimpton, the United States Ambassador to the United Nations, in answer emphasized that his government had already accepted a policy by which the provision of all arms that could be used to enforce apartheid, was prohibited. In November 1962 a historic resolution was laid before the General Assembly of the United Nations. For the first time in the history of the United Nations, the General Assembly by a huge majority recommended that member states take effective measures against South Africa, including the imposition of an arms embargo. The United States voted against this resolution.¹⁰

For the remainder of 1962 and in the months before the institution of the United States arms embargo in August 1963, the question of United States military cooperation and assistance to South Africa was continually raised. It appears as if the major policy issue was how to best influence the racial policies of the South African Government in a constructive direction, while at the same time maintaining correct and mutually advantageous relations. The fact that South Africa was strategically important to the United States for reasons discussed earlier in this study, still played a major role, as well as the whole issue of anti-communism. For this reason the United States Embassy in Pretoria, for example, recommended that continued support be given to military programmes of South Africa's bona fide anti-communist efforts, particularly as they related to external defence or participation in joint anti-communist activities by the so-called "Free World". This support had to be provided in the form of United States military equipment and the formal training of selected South African military officers in United States military schools. The United States Ambassador to South Africa, Joseph Satterthwaite, also recommended that the United States had to consider making a "qualified but cordial acceptance"¹¹ of the South African Government's invitation to

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10. **Burger**, Die, 1962-10-20, V.S.A. verwerp sanksies teen Suid-Afrika, pp. 1, 6; ANC of South Africa, *Great Power Conspiracy*; **Burger**, Die, 1962-11-07, Sanksiebesluit teen S.A., p. 1; **Burger**, Die, 1962-11-07, V.V.O. stem sanksies - Afro-Asiate kry groot oorwinning, pp. 1, 6; Papers of President John F. Kennedy, National Security Files, Box 3: **Airgram**: USUN to Department of State, 1963-01-28; Lyndon B. Johnson Library, National Security Files, Box 76, File: Africa General Memo's & Miscellaneous, Vol 1, p. 1: **Report**: Chronology of the recent steps taken by the United States to induce the South Africa Government to change certain policies, 1964-03-10; **SALVO: Krygkor 20 Armscor**, p. 10.
11. As quoted in National Archives, Washington, D.C., Box 11: January - December 1963, File 1: Signature and Clearance, GMW, **Letter**: G Mennen Williams to Johnson, 1963-01-18.

participate in the so-called CAPEX naval exercise which was to be held off the coast of Southern Africa in July and August 1963. The United States participated in this exercise in 1959, 1960 and 1961. In 1961 the question of participation occasioned a broad review of foreign policy objectives in the United States Department of State with respect to such defence exercises, and it was decided that there should be no direct or indirect encouragement to the South African Government to assume that the United States military units would participate in any future joint exercises. However, Satterthwaite felt that the United States should participate in the 1963 exercises, particularly in recognition of the South African cooperation in United States space and other military programmes. He furthermore felt while any form of military association with South Africa had serious drawbacks from an African point of view, naval cooperation was the military field furthest removed from apartheid. Also, the South African Government had permitted the United States Navy the facilities of the naval base at Simonstown, and had met United States requests to conduct secret military operations there, even though no details about the nature thereof were given. On the other hand, what stood like a pole above water was the fact that the United States Government was cautious about public knowledge of any military cooperation with South Africa, as they feared the consequences that it could have especially in the United Nations. Indeed, Satterthwaite did recommend that the South African invitation be accepted with the proviso that publicity be minimal and United States personnel be cautioned that participation in the naval exercise was not routine and would be considered afresh on every future occasion. The United States in the end participated in the exercise which was conducted in August 1963, but after that, the United States participation in the CAPEX joint naval exercises ceased.¹²

In March 1963 the South African Naval Chief of Staff asked the United States Naval Attaché in Pretoria to ascertain informally whether the United States Government would be willing to entertain a request to permit the purchase of two or three modern conventional attack submarines of about 1 700 tons each, and would provide crew training for key South African naval personnel. Satterthwaite again positively reacted in recommending that the request be given favourable consideration, provided that the

12. Papers of President John F. Kennedy, National Security Files, Box 3: *Secret memorandum*: United States Embassy, Pretoria to Department of State, 1962-12-18; National Archives, Washington, D.C., Box 11, File 1: Signature and Clearance, G. Mennen Williams: *Letter*: G. Mennen Williams to Johnson, 1963-01-18; *South African Observer*, September 1963, U.S. arms ban on South Africa is 'shabby politics', p. 9; D. Prinsloo, *United States Foreign Policy and the Republic of South Africa*, p. 59.

submarines were available. He also noted that the United States policy at that stage, with respect to South Africa, permitted the sale of military equipment for external defence. In a memorandum to President Kennedy, Dean Rusk, the United States Secretary of State, stated that there were both benefits and difficulties inherent to the South African request. On the one hand, an affirmative reply to South Africa would aid the maintaining of good military relations, which was of consequence in the light of the importance to the United States of various United States military facilities and rights in South Africa, particularly the tracking stations for Atlantic Missile Range operations, port facilities and overflight rights. Also, in the event of the Suez Canal being closed to the United States, South African harbor and dock facilities were virtually irreplaceable. On the other hand, the prospect of growing racial conflict in South Africa and of the intensified international condemnation of the South African Government, would make significant United States arms deliveries to South Africa increasingly costly to the United States in political terms. If the international position of South Africa continued to deteriorate, it was probable that the delivery of the submarines by 1966 could have highly unfavourable repercussions not only in the United States itself, but also globally. However, Kennedy himself, in answer to these memorandums, indicated a willingness to sell the submarines to South Africa.¹³

2.3 CONCLUSION

From the above summary of United States military relations with South Africa during the period 1961 to the first half of 1963, it is clear that certain objectives and lines of action that were in opposition to communism, weighed heavily upon the mind of the Kennedy Administration. Indeed, the whole issue of anti-communism seemed to be the major objective in the formulation of a definitive policy with regard to military cooperation with South Africa, especially because the latter had always been an ally in the struggle against communism. South Africa also has a very unique geographical location, and had always supported any United States military objectives in the area, especially by making its facilities available to the United States and allowing it to set up a missile tracking station

13. N.D. Howland (Ed.), *Foreign relations of the United States, 1961 - 1963, Volume XXI: Africa*, p. 627; Papers of President John F. Kennedy, National Security Files, Box 3: *Memorandum*: Dean Rusk to President Kennedy, 1963-03-16; Papers of President John F. Kennedy, National Security Files, Box 3: *Memorandum*, Alexis Johnson to Secretary of State, 1963-06-14.

near Pretoria. Thus, when the Kennedy Administration started to experience more and more pressure from the newly independent African states in the United Nations for punitive measures against the South African Government (these countries being supported by Asian countries, especially India), it found itself in a very difficult situation. It had several times voiced its opposition to the policy of apartheid, and had furthermore advocated a policy of non-provision to South Africa of arms that could be used to enforce the policy of apartheid. However, it turned out that the African states wanted more than just verbal opposition to apartheid from the United States. This resulted in a reconsideration of the United States policy with regard to South Africa, as will be discussed in the next chapter.

CHAPTER 3

THE INSTITUTION OF AN UNITED STATES ARMS EMBARGO AGAINST SOUTH AFRICA, 1963

3.1 INTRODUCTION

By June 1963, the international pressure for the institution of punitive measures against South Africa was mounting fast, making the Kennedy Administration realise that it now came face to face with a new and decisive phase in the apartheid issue. Although Kennedy and most of his aides still rejected sanctions against South Africa, they now recognised the need for some action against that country in order for the United States to preserve its influence with the newly independent African states. According to Mennen Williams, Kennedy's Under Secretary of State for African Affairs, the issue reached a point where a more vigorous stand against apartheid had to be taken, as in the opinion of the African countries, the United States could no longer rest its case merely on a condemnation of apartheid. In the view of Williams, the time had come for a review of the United States' arms supply policy towards South Africa, as the partial arms embargo policy was equivocal, not an effective measure against South Africa and considered as inadequate by the African countries. He felt that the United States had to think in terms of a total arms embargo, as it was the only way through which both the world and the public opinion in the United States could be convinced that it meant business in its disapproval of apartheid. It seems that Williams's concerns were taken seriously by the Kennedy Administration, because shortly afterwards, a request by *Grumman Aircraft Engineering Corporation* for the sale of fleet bombers to the South African Government, was refused.¹

Not all the members of the United States Government were however supportive of a total arms embargo against South Africa. In a memorandum to the United States Secretary of State, Alexis Johnson, the Deputy Under Secretary for Political Affairs, suggested that

1. Papers of President John F. Kennedy, File: Schlesinger WH-1: *Secret letter*; G. Mennen Williams to Secretary of State, 1963-06-12; T.J. Noer, *Cold War and Black Liberation*, p. 144; *Burger*, Die, 1963-06-13, Bomwerpers vir S.A. is geweier, p. 4.

the United States also had to take into consideration a number of factors before moving toward a full embargo on the supply of arms to South Africa. For example, South Africa continued to be friendly and cooperative with the United States in a wide range of defence matters such as landing rights, seismographic and tracking stations and port and dock facilities - all matters that were rather important in the policy of the United States with regard to South Africa up to that time. Furthermore, although the United States policy of the time to attempt drawing a line between arms which were capable of being used against an internal uprising in South Africa and those useful for defence against external attack, was not entirely satisfactory, it at least gave the United States some flexibility and enabled it to adapt its policy to changing circumstances. Also, a total arms embargo would seem to go far toward equating a friendly South Africa with the Sino-Soviet bloc. Lastly, Johnson asserted that unless all Western arms suppliers would also agree not to supply arms to South Africa, any total arms embargo on the part of the United States would only be a gesture of limited effect that would lose for the United States the advantages and leverage of its policy of the time.²

On the South African side, it appeared that the country was quite aware about the possibility of an arms embargo being instituted against it. In a 27 June 1963 article in the Afrikaans newspaper *Die Burger*, it was mentioned that arms suppliers in at least four Western countries started boycott tactics against South Africa, especially in smaller weapons like revolvers and pistols. It was also mentioned that bigger firearms could still be obtained from countries like the United States. However, an article in the same newspaper on 8 July 1963 stated that the United States was considering a total embargo on the sale of arms and military equipment to South Africa. This statement was based on the testimony of Mennen Williams before the United States Congress House of Representatives' Committee for Foreign Affairs in May 1963. The article stated that although Williams's testimony was censured, it seemed clear that the United States was considering the institution of an embargo on the shipping of military arms and equipment to South Africa. Williams had been questioned on this subject by Brandford Morris, a representative from the Republican Party, who referred to allegations that the United States was supplying South Africa with arms, and wanted to know what the Kennedy

2. Council on Foreign Relations, *Discussion meeting report*, 1963, pp. 25, 18; Papers of President John F. Kennedy, National Security Files, Box 3: *Memorandum*: Alexis Johnson to Secretary of State, 1963-06-14.

Administration thought about a total embargo on arms to South Africa. Williams replied that it had been discussed, but a definite policy had not yet been decided upon.³

3.2 THE ADDIS ABABA CONFERENCE

In a letter to Kennedy dated 26 June 1963, Adlai Stevenson voiced his concern that the United States could find itself under direct fire in the Security Council meeting scheduled to start on 22 July 1963. His concern was based on proceedings of an African conference which was held in Addis Ababa in May 1963, during which time the Organisation for African Unity was established. A resolution was drawn up at that conference, with a proviso that specifically called on the United States to choose between Africa and the "European colonial powers". Furthermore, a paragraph on the racial policies of the United States as well as an increasing demand for the institution of sanctions against South Africa, were also part of the proceedings. Thus, in the case of the African countries presenting resolutions calling for far-reaching sanctions against South Africa, what was the United States to do? Stevenson felt that the United States Government had to present an alternative resolution which would not only put the United States morally on the right side, but would also call for measures of implementation that the Kennedy Administration could support and which were sufficiently responsible to give the African countries reasonable satisfaction. The minimum answer that Stevenson could foresee, were resolutions that would contain a condemnation of the South African policy of apartheid, recommendations against arms supplies that could be used to enforce this policy, and provisions for a 'meaningful' United Nations provision, although he could at that stage not clearly formulate what he meant by that. He felt very strongly that in the view of all these considerations, Kennedy's decision had to be in favour of future positive United States relations with the African countries.⁴

The Central Intelligence Agency's (CIA) feeling on the Addis Ababa Conference was that although most of the African countries mainly relied on diplomatic and political pressure

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3. *Burger*, Die, 1963-06-27, Wapens: Buiteland se taktiek in boikot teen S.A. - Gevoelige tekort verweg;
 4. *Burger*, Die, 1963-07-08, Wapens vir S.A.: V.S.A. dink aan verbod - Rooi inmenging gevrees, p. 1. A.M. Khalifa, The adverse consequences of military and economic assistance to South Africa, *Objective Justice* 8, Autumn 1976, p. 9; Papers of President John F. Kennedy, National Security Files, Box 3: *Letter*: Adlai E Stevenson to President Kennedy, 1963-06-26.

on the West to isolate and to apply sanctions against South Africa, they were far from unified - a fact that would have made it difficult for them to support their demands to the West. For this reason, most of the African countries expected that their more extreme demands concerning South Africa would be set aside for some time. Nevertheless, they regarded strong support from especially the United States as fundamental in achieving their objectives, as they believed that such backing would bring the South African Government to heel in short order.⁵ Thus, the United States could expect that

*"ceaseless clamour in the United Nations and other international forums [would] probably soon come once again to be the order of the day."*⁶

3.3 THE DEBATE ON THE INSTITUTION OF AN ARMS EMBARGO AGAINST SOUTH AFRICA

In the few months prior to the Security Council meeting scheduled to start on 22 July, a fierce debate in the form of letters, memoranda and telegrams dictated the way for the Kennedy Administration. Kennedy had ordered the United States Department of Defence to study the impact that a total ban on the supply of weapons to South Africa, would have. They also had to compile information on what military items were already scheduled to be delivered to South Africa. The Department of Defence dutifully provided the requested information, but not without opposition. They still had a primary interest in South Africa because of the latter's geographical location. In addition, the whole issue surrounding the possibility of losing the United States missile tracking station in South Africa remained the major stumbling block in the formulation of a definitive policy. From the standpoint of military security, the United States Department of Defence had given serious attention to resolutions against South Africa in the United Nations including, among other measures, an arms embargo. They felt that any position taken by the United States delegation at the United Nations would most likely on the one hand alienate South Africa to some degree and the African nations on the other, as the United States had significant military interests which could be jeopardized either way. These military interests included the mentioned missile tracking station near Pretoria, as well as aircraft

5. Papers of President John F. Kennedy, National Security Files, Box 3: *Memorandum*: CIA, 1963-07-11.
6. As quoted in Papers of President John F. Kennedy, National Security Files, Box 3: *Memorandum*: CIA, 1963-07-11.

and ships that were being staged from South Africa to support the long range ballistic missile launches from Cape Canaveral that impacted in the South Atlantic and Indian Oceans. The importance of the missile tracking station presumably lay in the fact that all satellites launched from the United States east coast on inclined orbits and on the west coast on polar orbits, in the first and most critical orbit passed over South Africa and the Indian Ocean area, making this region of particular interest because of the critical events that had to be recorded from it.⁷ Thus, it can be concluded that the possible alienation of South Africa had become a national security issue for the United States, because of the possibility that such alienation could have adverse strategic consequences for the United States. The latter was afraid of losing certain privileges in South Africa, as explained above, and it can be said that this fact constituted a major factor in the Kennedy Administration's discussions on the institution of sanctions, and an arms embargo, against South Africa.

The problem that the Kennedy Administration faced, was that if the tracking station and South African ports and airport facilities were denied, it would cause inconvenience and delays and increase costs since other alternatives had to be pursued. Going hand-in-hand with this, was the reaction of the United States' NATO allies, and the possible divisive effect upon the alliance, should the United States have chosen to give support to a strong African resolution in the United Nations. On the other hand, the military assets that the United States derived from South Africa, had to be weighed against those that were now available to the United States in Africa, for example, communications and air bases in Ethiopia, Libya and Morocco. Given these considerations, the basic objective of the United States had to be the avoidance of prejudicing the relationship that it had with both South Africa and the rest of Africa. Consequently, the issue of economic sanctions, an arms embargo or expulsion in the case of South Africa had to be based on general considerations of United States foreign policy. Nevertheless, it was continually recommended by different role players in the Kennedy Administration that the continued use of the ports, airports and tracking facilities in South Africa had to be important considerations for the maintaining of military cooperation and facilities in South Africa, although the Joint Chiefs of Staff of the United States Department of Defence concluded

7. T.J. Noer, *Cold War and Black Liberation*, pp. 144 - 145; Papers of President John F. Kennedy, National Security Files, Box 159, p. 1: **Letter:** R.S. McNamara to Dean Acheson, 1963-07-11; Box 3: **Secret memorandum:** For the Deputy Assistant Secretary of Defence (International Affairs), 1963-07-08.

that the peacetime contribution of South Africa to the United States security was not extremely important. They were supported in this assertion by McGeorge Bundy, Special Assistant to Kennedy. Finding the official comments on the missile tracking station in South Africa somewhat vague, Bundy set out to do some enquiries on the matter. He concluded that although a close relation existed between the missile tracking station and United States satellite photography, they were not vital for the United States programme to continue. Indeed, he did not even think that in the case of the United States taking a stiff line on the question of arms supplies for the South African Government, the missile tracking station would immediately be lost as a consequence of that.⁸

From about mid-July 1963, things started happening in rapid succession. On 16 July 1963, six days before the Security Council meeting was due to start, George Ball, the United States Under Secretary of State, agreed to Kennedy's proposal of an arms embargo against South Africa, but he emphasized that it had to be clearly understood that it did not imply that he was in favour of further actions. In a memorandum to Kennedy, he outlined a list of steps that he felt had to be taken in carrying out all policy recommendations with regard to South Africa. He envisaged frank discussions with South Africa, the African leaders in the United Nations, the United Kingdom and France. In the discussion that the United States Secretary of State had to have with the South African Ambassador, the policy of the United States had to be outlined along some very specific lines, entailing:

- A reiteration of the basic opposition of the United States to apartheid;
- Difficulties that the United States foresaw in the Security Council concerning the Addis Ababa resolution⁹, which had called for sanctions against South Africa and the expulsion of South Africa from the United Nations;

8. Council on Foreign Relations, *Discussion meeting report*, pp. 15, 18; Papers of President John F. Kennedy, National Security Files, Box 159, pp. 1, 3; **Letter**: R.S. McNamara to Dean Acheson, 1963-07-11; Papers of President John F. Kennedy, National Security Files, Box 3: **Secret memorandum**: For the Deputy Assistant Secretary of Defence (International Affairs), 1963-07-08; Papers of President John F. Kennedy, National Security Files, Box 159: **Memorandum**: Joint Chiefs of Staff to Secretary of Defence, 1963-07-10; Papers of President John F. Kennedy, National Security Files, Box 3: **Memorandum**: McGeorge Bundy to President Kennedy, 1963-07-13; T.J. Noer, *Cold War and Black Liberation*, p. 145.

9. This will be discussed in the next section of this study.

- A statement of the intention of the United States to oppose expulsion and mandatory sanctions under Chapter VII of the United Nations Charter;
- A description of the resolution the United States intended to initiate or support in the United Nations - this included a reaffirmation of the strong opposition of the United States to apartheid; a recommendation that the Secretary-General of the United Nations appoint a high-level special representative to discuss with the South African Government how their racial policies could be brought into conformity with the United Nations Charter, and a call on member states of the United Nations to refrain from supplying any arms which could be used to facilitate the enforcement of apartheid;
- A statement that the United States intended to unilaterally stop any further arms supplies to South Africa. However, this declaration had to be timed very tightly, and not be made public knowledge before the appointed time.
- An urgent request to South Africa to publicly indicate its intention to cooperate with any representative appointed by the United Nations Secretary-General, because it would help the United States in moderating the actions of the Security Council.¹⁰

Also on 16 July 1963, Kennedy met with the Tanganyikan leader, Julius Nyerere, on the issue of sanctions against South Africa. While they disagreed on the matter of whether it should be instituted or not, Kennedy did leak the news of an impending United States arms embargo on South Africa. However, because he wanted the embargo to be an independent United States action that was not dependent on the United Nations, Kennedy requested Nyerere to hold this fact in confidence for the time being. Nyerere

10. T.J. Noer, *Cold War and Black Liberation*, p. 146; Papers of President John F. Kennedy, National Security Files, Box 159, pp. 1-2: *Memorandum: George Ball to President Kennedy, 1963-07-16*; N.D. Howland (Ed.), *Foreign relations of the United States, 1961 - 1963, Volume XXI - Africa*, pp. 637 - 638.

agreed, but the mere fact that he knew about the United States' intention, concerned the latter's delegation at the United Nations that Kennedy might make a premature public statement of the arms embargo against South Africa. Stevenson therefore requested Kennedy to keep the intention secret until he could make the announcement in the United Nations. According to Stevenson, such a step could soften the probable negative impact of a possible forthcoming vote by the United States against the institution of mandatory sanctions against South Africa. He felt that the institution of an arms embargo against South Africa would be a positive step against apartheid that would balance this negative vote.¹¹

On 17 July 1963, a conversation took place between the United States Secretary of State, Dean Rusk, and the South African Ambassador to the United States, Willem Naudé, Rusk asserted that his government was greatly concerned about the upcoming Security Council meeting. He felt quite sure that the United States would be under enormous pressure to support the expulsion of South Africa from the United Nations and the institution of mandatory sanctions against it, but assured Naudé that the United States did not intend to give in to this pressure. However, his anticipation was that the United States might refrain from exporting arms to South Africa after the end of 1963 - a point that had not yet been finally decided upon, and had not yet been made public. Naudé answered in saying that it was ironical that the United States and South Africa were fighting side by side ten years earlier, and now the latter would be refused the supply of arms to use against a common enemy. Rusk's answer to this was a reminder of the fact that more than once in the past, South Africa had been assured of the willingness of the United States to cooperate with South Africa as much as possible, but that the United States point of view had to include its strategic interests and the world opinion. Therefore, he hoped that Naudé would pass to the South African Government the fact that its racial problem was a heavy burden to the United States and that it was creating difficulties for the United States' strategic interests all around the world. Naudé's reply was that the South African Government certainly had to face up to the situation now that the strategic interests of the United States elsewhere were more important than those in South Africa.¹²

11. T.J. Noer, *Cold War and Black Liberation*, p. 146.

12. Papers of President John F. Kennedy, National Security Files, Box 159, pp. 1-2: *Memorandum of conversation*: South Africa and the Security Council meeting, 1963-07-17; N.D. Howland (Ed.), *Foreign relations of the United States, 1961 - 1963, Volume XXI - Africa*, pp. 641 - 643.

While the conversation between Rusk and Naudé was taking place, Kennedy approved the recommendation that no further arms be supplied to South Africa after 31 December 1963. The same day, the United States delegation at the United Nations also indicated that they would favour such a policy step, provided that the timing of the public announcement there-of be planned very carefully in the view of it being of critical importance for the position of the United States in the Security Council, should the Department of State decide that they wanted to limit a Security Council resolution on South Africa to a limited restriction only. Early announcement of the plan would have increased the pressure on the United States to accept a full arms embargo in a Security Council resolution. On 18 July 1963 Kennedy held a conference in the White House in order to discuss the policy that the United States had to follow in the planned discussion of the apartheid policy of the South African Government in the Security Council on 22 July 1963. He took a firm stand against that policy, and stated that it was inimical to the future of South Africa and repugnant to the United States. He however reiterated that he was opposed to the expulsion of South Africa from the United Nations. That same afternoon, the Committee on Apartheid in the United Nations expressed satisfaction with the stance that Kennedy had taken, and recommended an arms and oil embargo against South Africa to the Security Council. It was already clear at this stage that the institution of an arms embargo against South Africa was a certainty.¹³

On 24 July 1963, Ambassador Naudé discussed with Alexis Johnson the possibility of the United States refraining from selling any arms to South Africa, as he got the impression from Rusk the previous week that a United States arms embargo against South Africa might be a total one as from January 1964. He was more belligerent with Johnson than he had been with Rusk, and accused the Kennedy Administration of giving in to the demands of the Afro-Asian nations in the United Nations. Naudé said that he could not fully understand the logic behind an arms embargo, and was wondering whether it was the case of some of the African countries where the United States held space and military bases, threatening to withdraw these privileges. Johnson replied that none of these countries had said that they would throw out the United States if the latter

13. Papers of President John F. Kennedy, National Security Files 159: *Memorandum*: McGeorge Bundy to Secretary of State, 1963-07-17; Papers of President John F. Kennedy, National Security Files 159, p. 1: *Telegram*: United States Embassy, United Nations to Secretary of State, 1963-07-17; *Burger*, Die, 1963-07-18, V.S.A. besluit vandag oor S.A. - Steun verwag vir wapenboikot, p. 1; *Star*, The, 1963-07-19, Oil and Arms embargo, but not expulsion, p. 19; *Star*, The, 1963-07-25, Ambassador sees top Kennedy men on embargo, p. 3.

did not end all arms sales to South Africa. However, the United States had to look ahead and try to maintain future access to these vitally important bases. Naudé then said that the United States ought to rethink its position, as South Africa could play a helpful role in Africa. Should the decision of an arms embargo go through unchanged, it would mean that all the past and future usefulness of South Africa was to no avail. Johnson replied that in the mind of the Kennedy Administration, an arms embargo was not a sanction. However, if the United States continued to sell arms to South Africa, it would ignore the sentiments of the leadership of the African countries - a factor that was important in the struggle against communism. Thus, the common interests of the United States had to be balanced against the interests of South Africa, and the most important interest of the United States was to prevent communism from gaining a foothold in Africa. The conversation ended on a frosty note as Johnson concluded that he was deeply distressed over the present state of the United States relations with South Africa.¹⁴

In the meantime, the secrecy on the decision of an arms embargo against South Africa, caused problems for the United States delegation at the United Nations, and Stevenson had to fight fires lit by both the Africans and South Africa. On 22 July 1963, a number of Africans occupied Stevenson's office protesting the United States inaction on apartheid and opposition to sanctions against South Africa. Stevenson told the demonstrators that he was doing his utmost best to end apartheid. However, when he was charged with having abandoned morality for profits and strategic interests in South Africa, he became agitated and left his office, shouting "*I will not be lectured to about moral issues*".¹⁵ On 25 July 1963, the South African Minister of Foreign Affairs, Eric Louw, declared that South Africa would not participate in a meeting of the Security Council where charges against the racial policies of his Government were being discussed. He nevertheless showed concern about the important part which the Afro-Asian block, but particularly the thirty-three African member states, played in the United Nations. He expressed his appreciation of the efforts of the United States, among others, in opposing resolutions laid before the Security Council which called for sanctions against

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14. *Star*, The, 1963-07-25, Ambassador sees top Kennedy men on embargo, p. 3; Papers of President John F. Kennedy, National Security Files 159, pp. 1-2; *Memorandum*: United States Embargo of arms to South Africa. 1963-07-24; Lyndon B. Johnson Library, National Security Files, Country File. Box 76, File: Africa General Memo's and Miscellaneous, Volume 1, p. 1; *Report*: Chronology of the recent steps taken by the United States to induce the South African Government to change certain policies. 1964-03-10; T.J. Noer, *Cold War and Black Liberation*, pp. 146 - 147.
15. As quoted in T.J. Noer, *Cold War and Black Liberation*, p. 147.

South Africa and the expulsion of South Africa from the United Nations.¹⁶ In his own words:

*"I may be pardoned if I point out, that from recent statements by Western leaders, it is clear that important contributory reasons for their proposed actions are that they are concerned, firstly about the probable effect which expulsion of a founder-member will have on the continued existence of the UN, and in the second place, they are concerned about their valuable export markets and investments in South Africa."*¹⁷

By the end of July 1963, pressure from the African states at the United Nations for the expulsion of South Africa from the United Nations, as well as the institution of economic sanctions against that country, was fast mounting. It was alleged by prominent African leaders that they were not interested in a resolution calling for an arms embargo against South Africa, as the country already had the capacity to manufacture all the arms it needed to sustain the apartheid policy. Stevenson was rather worried about the course that the issue was taking, and said that if the African leaders were really serious in taking such a hard line, the United States would be in the invidious position of having little positive to offer. However, he still felt that the United States could get support for arms restrictions against South Africa within the terms of Chapter VI of the United Nations Charter,¹⁸ as it was indeed stipulated in one of the draft African resolutions on apartheid that they *"solemnly call[s] upon all member states to cease forthwith the sale and shipment of arms and ammunition of all types to South Africa"*.¹⁹

Taking all the foregoing factors into consideration, the United States Department of State undertook to review the situation in the Security Council, including the position of the United States on an African resolution requesting a total arms embargo against South Africa. In a telegram to Stevenson dated 1 August 1963, the question of when the United States intended to announce the cessation of the delivery of all arms and

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16. T.J. Noer, *Cold War and Black Liberation*, p. 147; *South African Digest*, 1963-07-25, p. 2, Security Council discussions on S.A.: S.A. will not participate - Mr Louw.
 17. As quoted in *South African Digest*, 1963-07-25, p. 2: Security Council discussions on S.A.: S.A. will not participate - Mr. Louw.
 18. Papers of President John F. Kennedy, National Security Files 159, *Telegram*: United States Embassy, United Nations to Secretary of State, 1963-07-30; Papers of President John F. Kennedy, National Security Files 159, *Telegram*: Adlai Stevenson to Secretary of State, 1963-07-31.
 19. As quoted in Papers of President John F. Kennedy, National Security Files 159, *Telegram*: Adlai Stevenson to Secretary of State, 1963-07-31.

ammunition to South Africa, was discussed in the light of the South African Government being informed of such an intention already on 17 July 1963, as discussed earlier. The main problem seemed to be that the United States had difficulty in deciding how to relate the imposition of an arms embargo to the fact that it still had arms intended for South Africa in the pipeline, and did not wish to deny itself any future opportunity to provide the country with highly technical arms should the United States Government feel that the common free world defence effort so required. Therefore, the Department of State stated that it would prefer, if possible, to assure that an arms embargo resolution explicitly leave the United States some flexibility for making future deliveries of strategic items such as submarines or anti-submarine weaponry to South Africa, if the United States Government concluded that it would be in its national interest and/or necessary for a common free world defence effort.²⁰

Another worrying factor for the Kennedy Administration, was the amount of support from other countries that they could count on for an arms embargo, instead of the hard line that the African countries were taking. Thus, in the light of this and the above-mentioned factors, Stevenson was requested to discuss the problem frankly with potential sponsors of such a resolution, along the following lines. It was also basically the draft for his upcoming speech in the Security Council the following week:

- As indication of the United States' concern on the failure of the South African Government to modify its policy of apartheid, the Government of the United States expected as a matter of general policy to bring to an end the sale of all military equipment to South Africa by the end of 1963.
- The United States had equipment on which sales contracts had already been concluded at the time. These contracts principally covered such items as torpedoes for submarines and air-to-air missiles. Being contractual commitments, it had to be honoured.

20. National Archives Washington, D.C., Lyndon B. Johnson Library, National Security Files, Country File, Box 78: Africa, Union of South, File: Memo's and Miscellaneous, Vol. 1, p. 2: *Telegram*: Department of State to A. Stevenson, 1963-08-01.

- The Government of the United States agreed that the appropriate Security Council action to meet the situation of apartheid in South Africa would be the recommendation that no further arms sales or shipments be made to South Africa.
- However, the Security Council should understand that if in some future time the United States considered it necessary to provide highly technical equipment to South Africa, it would clearly be for the common defence against any external aggression.
- The above-mentioned factor was not an effort in any way on the part of the United States to hedge or delimit its support for the concept of an arms embargo.
- If the African countries refused to modify the text of their draft resolution to support a provision such as the above-mentioned, Stevenson had to indicate that the United States would support a provision recommending a total arms embargo in the resolution, on the understanding that he made clear in his explanation of the vote that the attitude of the United States was as described above.
- It was important to make clear that the United States opposed economic sanctions and that it made a fundamental distinction between economic measures and arms restraints.
- The recommendation to deny arms to a member country was a measure which could contribute to a peaceful settlement under Chapter VI of the United Nations Charter.
- The United Kingdom and France had to be informed of the intention of the United States along the foregoing lines, expressing the hope that they would be able to join the latter. If the United Kingdom had however already worked out a substantially similar formula,

the United States might be willing to join it.²¹

The position that the United States took along these lines, went beyond the guidelines that Kennedy had approved on 17 July 1963 in one important respect, namely a phrase that specifically stated that "*the embargo is without prejudice to requirements which may arise for maintaining international peace*".²² If the African countries refused to accept this language, Stevenson was instructed to announce a unilateral arms embargo, but with the explicit mentioning of the reservation on arms for "*maintaining international peace*".²³ The Department of State furthermore felt that the African countries only had eight votes for a mandatory arms embargo; that France would abstain on any such resolution, and that the United Kingdom would probably go along with the United States. Thus, the chances of passing a more moderate resolution did not look too bleak. Indeed, it remained quite a controversial matter for the African, Asian, Latin American and European delegates to the United Nations. Some expressed the believe that it could be possible for an arms embargo restriction to pass, while some felt it would be rather difficult. Whatever the case, it was certain that the United States would support the institution of a formal arms embargo against South Africa. The Department of State felt very strongly that in the light of the fast-moving events in the Security Council, it had become evident that it would be in the best interests of the United States Government to act promptly in publicly announcing the decision to impose a full arms embargo against South Africa. Accordingly, Stevenson was authorized to take the initiative in his upcoming Security Council speech of announcing the intention of the United States to end the sale of military equipment to South Africa by the end of 1963.²⁴

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21. National Archives Washington, D.C., Lyndon B. Johnson Library, National Security Files, Country File, Box 78: Africa, Union of South, File: Memo's and Miscellaneous, pp. 2-6, **Telegram**: Department of State to A. Stevenson, 1963-08-01; Papers of President John F. Kennedy, National Security Files 159, pp. 2-5: **Telegram**: Department of State to A. Stevenson, 1963-08-01.
 22. As quoted in Lyndon B. Johnson Library, National Security Files, Country File, Box 78: Africa, Union of South. File: Memo's and Miscellaneous, Vol. 1, **Memorandum**: W.H. Brubeck to President Kennedy, 1963-08-02.
 23. As quoted in Lyndon B. Johnson Library, National Security Files, Country File, Box 78: Africa, Union of South. File: Memo's and Miscellaneous, Vol. 1, **Memorandum**: W.H. Brubeck to President Kennedy, 1963-08-02.
 24. Lyndon B. Johnson Library, National Security Files, Country File, Box 78: Africa, Union of South. File: Memo's and Miscellaneous, Vol. 1, **Memorandum**: W.H. Brubeck to President Kennedy, 1963-08-02; T.J. Noer, *Cold War and Black Liberation*, p. 147; *Pretoria News*, The, 1963-08-02, U.S. to explain stand on S.A., p. 1; Papers of President John F. Kennedy, National Security Files 159, p. 1: **Telegram**: Department of State to the United States Embassy, Pretoria, 1963-08-03.

3.4 THE UNITED STATES INSTITUTION OF AN ARMS EMBARGO AGAINST SOUTH AFRICA

On 2 August 1963, Adlai Stevenson announced in the Security Council that the United States Government had decided to prohibit the sale of all arms and military equipment to South Africa after the end of 1963, pending an end to the apartheid policy of the South African Government. Existing contracts providing for limited quantities of strategic equipment for defence against external threats, such as air-to-air missiles and torpedoes for submarines, would be honoured by the United States Government, and if a world crisis demanded a combined defence effort, the embargo would be lifted. The United States would however continue to oppose mandatory sanctions against South Africa, as it was "*both bad law and bad policy*"²⁵, and would only result in hardship for all the people of South Africa, including those who were already suffering under the policy of apartheid. That in its turn would lead to violence, and the United States could not accept bloodshed as the only alternative to apartheid. Stevenson urged those who were trying to expel South Africa from the United Nations, to instead try to build a bridge between them and South Africa. In spite however of this statement, his speech was severely critical of the South African policy of apartheid. He recited discriminating actions by the South African Government and accused it of calculated retrogression, concluding that the situation was busy deteriorating. He said that although it was true that there was rarely a society in the world where some form of discrimination did not exist, the apartheid policy of the South African Government denied the worth and dignity of humans. For this very reason, the United States Government had decided to express its feelings with as much restraint as it could possibly muster. It was not only in the interest of the United States to take such a step, but also in the interest of South Africa and of a world which the United States believed had suffered enough from bigotry, prejudice and hatred.²⁶

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25. As quoted in *New York Times*, The, 1963-08-03, U.S. tells U.N. it will halt arms sale to South Africa, p. 1.
26. *New York Times*, The, 1963-08-03, U.S. tells U.N. it will halt arms sale to South Africa, p. 6; *Chicago Tribune*, 1963-08-03, U.S. ends arms shipments to South Africa, p. 1B; *Burger*, Die, 1963-08-03, Wapenverbod teen S.A. aangekondig - V.S.A. hou deur egter oop, p. 1; *Los Angeles Times*, 1963-08-03, U.S. will halt arms shipments to S. Africa, p. 1; *Los Angeles Times*, 1963-08-03, U.S. will halt arms shipments to S. Africa, p. 8; *New York Times*, The, 1963-08-03, U.S. tells U.N. it will halt arms sale to South Africa, p. 1; *New York Times*, The, 1963-08-03, Excerpts from U.S. statement on South Africa, p. 6; T.J. Noer, *Cold War and Black Liberation*, p. 148.

Stevenson went on to say that the Kennedy Administration had taken measures on several occasions in the past in trying to bring to an end the policy of apartheid in South Africa. They had utilized the United States' diplomatic and consular establishments in South Africa to demonstrate by words and by deeds their disapproval of the policy of apartheid; they had adopted and enforced a policy of forbidding the sale to the South African Government of arms and military equipment that could be used to enforce apartheid; and, they had carefully screened both governmental and commercial shipping of military equipment in order to make sure that this policy was rigorously enforced. However, all these steps did not prove to be effective, so the Kennedy Administration decided on still another important step that it was prepared to take, namely the institution of an arms embargo against South Africa as from the end of 1963, in order to further contribute to a peaceful solution to the ending of apartheid and to avoid any further steps that might contribute to international friction in Southern Africa. However, the United States, as a nation with many responsibilities in many parts of the world, naturally reserved the right in future to interpret this policy in the light of requirements for assuring the maintenance of international peace and security.²⁷

Stevenson concluded his speech by saying that the institution of an arms embargo against South Africa was once again a step to indicate to the South African Government the deep concern that the United States felt at the failure of South Africa in abandoning the policy of apartheid.²⁸ In his own words:

*"Stopping the sale of arms to South Africa emphasizes our hope that the Republic of South Africa will now reassess its attitude against apartheid in the light of the constantly growing international concern at its failure to heed the numerous appeals made to it by various organs of the United Nations, as well as appeals of member states, such as my government."*²⁹

These words quite clearly reflect a central element of the United States arms embargo policy towards South Africa, namely that it was not a desire to control the trade of arms that might fuel political conflict in South Africa, but rather a desire to withhold the United States support from a government that enforced a policy of race segregation. In other

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27. *New York Times*, The, 1963-08-03, Excerpts from U.S. statement on South Africa, p. 6; *Chicago Tribune*, 1963-08-03, U.S. ends arms shipments to South Africa, p. 1B; *Los Angeles Times*, 1963-08-03, U.S. will halt arms shipments to S. Africa, p. 8; A.M. Schlesinger Jr. (Ed.), *The Dynamics of World Power: A documentary history of United States foreign policy 1945 - 1973*, Volume V, pp. 977 - 978.
28. *New York Times*, The, 1963-08-03. Excerpts from U.S. statement on South Africa, p. 6.
29. As quoted in *Chicago Tribune*, 1963-08-03, U.S. arms shipments to South Africa, p. 1B.

words, the United States embargo on the shipment of arms and military equipment to South Africa was not the product of an arms control objective, but rather an expression of United States anti-apartheid sentiment.³⁰

3.5 THE REACTION TO THE ARMS EMBARGO

3.5.1 African United Nations Members

After his speech in the Security Council, Stevenson met with the Liberian Secretary of State and the Tunisian Foreign Minister, both of whom were supporters of extreme measures against South Africa, and critical of the United States foreign policy with regard to South Africa. They both congratulated Stevenson on his speech, and said that the cessation of arms sales to South Africa represented an important advance in the policy of the United States with regard to South Africa. Neither of them however commented particularly on whether any qualification of the arms embargo was acceptable, but said that if worldwide conflict occurred, it was only natural that the United States would reserve the right to furnish South Africa with arms. The Tunisian Foreign Minister wanted to know what type of Security Council resolution the United States could support, and Stevenson replied that the United States was prepared to go along with a United Nations Chapter VI request for the cessation of arms shipments to South Africa, but only if it was qualified by the same reservations that he had made in his speech. The Tunisian Foreign Minister's reply was that the African countries were no longer in favour of a long resolution, and, although it was not finally decided upon yet, they now tended to favour a shorter resolution which made provision for an arms embargo and maybe another restriction, for example the expulsion of South Africa from the United Nations. Stevenson answered that the United States would not accept the expulsion of South Africa, as it would only isolate the latter to the point where it would become extremely difficult for the world opinion to have its appropriate impact. He then again emphasized that the United States would be willing to support only an arms

30. Armscor Archives, File no. 1/17/6/1, Volume 4: 1979 - 1988, Division: Executive Management, Foreign Affairs and Organization, *Paper*: Prepared for a Five-College Conference on South Africa, 1978-04-14/15.

embargo under certain provisions.³¹

The rest of the African delegates at the United Nations expressed lukewarm reaction to Stevenson's announcement. They were generally pleased with Stevenson's condemnation of apartheid in the Security Council, and described the arms ban announcement as a step forward in the policy of the United States with regard to South Africa. They however claimed to have found little comfort in Stevenson's appeal for moderation and the opposition of the United States to sanctions against South Africa. Spokesmen of the African countries in the Security Council stressed that the situation in South Africa was worsening, and said that they no longer saw any grounds for the hopes of the United States that conciliation and an appeal to reason would have any effect on the South African Government.³² This indicated a stubbornness on the side of the African countries to get mandatory, extensive sanctions instituted against South Africa. They would not rest until they have achieved that and have seen a black majority government ruling in South Africa. That spelt difficulties for United States support of South Africa in the years to come. For the African countries, the United States arms embargo constituted nothing but a compromise in order to maintain its interests in South Africa as well as its future interests in the African countries.

3.5.2 Reaction in the United States

The reaction to the arms embargo in the United States was mixed. Some liberals and Afro-Americans saw the embargo as a moralistic principle that had apparently triumphed over profits. Others however pointed out that South Africa was nearly self-sufficient in arms production, and that the move was severely diluted by Stevenson's statement that weapons that were already agreed to before the announcement of the embargo, would be delivered, as well as the right that the United States reserved to sell arms to South Africa in future if the maintenance of the world peace so required. In the editorial of the *New York Times* of 4 August 1963, it was stated that the decision to make the United States' previous restriction on arms for South Africa a total ban, represented a long step

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31. Papers of President John F. Kennedy, National Security Files 159, pp. 2-3: *Telegram*: United States Embassy, United Nations to Department of State, 1963-08-03.
32. *Pretoria News*, The, 1963-08-03, Lukewarm reaction to speech by Stevenson, p. 1; *South African Digest*, 1963-08-08, U.S. stand at U.N. fails to satisfy Africans, p. 3.

toward the unilateral application of sanctions by the United States. It went on to say that the embargo reflected more sharply than anything that had been done in the past the seriousness of the United States' belief that the apartheid policy of South Africa was incompatible with the moral, social and constitutional foundation of the Western society. Concerning pressure from the African states for more extreme measures, the editor felt there was no likelihood that the embargo would fully satisfy them, as was indeed the case, as one can see from the discussion above. In the light of this, the African states were warned that the danger of bloodshed in South Africa would be vastly increased if such measures were to be instituted.³³

3.5.3 Reaction from the South African side

From the South African governmental side, Prime Minister Hendrik Verwoerd's reaction was that the South African public should not feel uneasy about the announcement. He said that his government would make and announce its decisions as and when it was necessary and timely. South African Foreign Minister Eric Louw at first had no comment on Stevenson's announcement of the arms embargo against South Africa, saying that he could say much in reply to Stevenson's speech, but as the Security Council was still in session, he chose to say as little as possible for the time being. He did however mention that it was a matter for the South African Department of Defence to handle. The Minister of Defence, Jim Fouché, was however also not prepared to comment on the announcement. Nonetheless, the general feeling in political circles in South Africa was one of shock, with some observers going as far as to say that the action amounted to a serious diplomatic setback for South Africa and a victory for the African-Asian countries in the United Nations.³⁴

The South African press gave extensive coverage to the arms embargo, and it was very interesting to compare the views of the different daily newspapers. Although the majority

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33. T.J. Noer, *Cold War and Black Liberation*, p. 149; *New York Times*, The, 1963-08-04, No arms for South Africa, p. E8; *Pretoria News*, The, 1963-08-05, Supplying of arms to S.A. 'shameful', p. 9.
34. South Africa: The making of United States policy, 1962 - 1989, microfiche collection, fiche 00053: *Telegram*: United States Embassy, Pretoria to Secretary of State, 1963-08-03; *New York Times*, The, 1963-08-03, U.S. tells U.N. it will halt arms sale to South Africa, p. 6; *New York Times*, The, 1963-08-05, U.S. stand on arms stirs South Africa, p. 2; *Pretoria News*, The, 1963-08-05, Arms ban may mean more tax to pay - S.A. could go it alone, p. 1.

favoured the view of the South African Government, they had quite different ways of expressing it. *Die Transvaler*, which frequently directly expressed views of the South African Government, on 3 August 1963 commented in a front-page article that Stevenson's declaration was not as serious as it sounded at first hearing, as it was only a continuation of the anticipated attitude of the United States. The reporter asserted that this step had only been taken in order to win the favour of the African states, while on the other hand the United States wanted to ensure that its normal trade with South Africa continued. In doing so, it played the role of a sort of general arbiter among United Nations members. In another article, also on the front page of *Die Transvaler*, another reporter wrote that an analysis of Stevenson's speech gave rise to the impression that his announcement regarding an end to arms sales to South Africa would not seriously affect the position of South Africa militarily, and that certain members of the South African Government were convinced that they would still get arms from the United States in order to maintain the strategic importance that South Africa had for the United States.³⁵

On 5 August 1963, *Die Transvaler* carried an editorial which stated that the manner in which Stevenson phrased the announcement of the arms embargo, indicated most distinctly that there was a conflict in interests between Mennen Williams, who could be described as one of the greatest American enemies of whites in Africa, and United States military experts. Williams wanted a total arms embargo, while the military experts regarded the South African strategic position as something of great importance to the United States, which could not be lost. Thus, the controversy culminated in a very important reservation, namely that arms will be supplied to South Africa if the common defence of the world so required. The editor went on to say that in the coming months, South Africa would be the cause of a fierce war of words and a sharp flood of declarations. Although the country had a measure of immunity against a flood of words from the United States, the situation was turning hysterical if one had to judge from the newest move of that country, namely the institution of an arms embargo against South

35. South Africa: The making of United States policy, 1962 - 1989, Microfiche collection: National Security Files, fiche 00053: *Telegram*: United States Embassy, Pretoria to Secretary of State, 1963-08-03; fiche 00054: *Telegram*: United States Embassy, Pretoria to Secretary of State, 1963-08-05.

Africa.³⁶ Editorial statements like these, along with reports as discussed, proved the rather pro-South African Government, propagandist nature of *Die Transvaler*, often resulting in the sacrifice of an objective view.

The Pretoria News of 5 August 1963 foresaw that the arms embargo would result in an even bigger South African defence budget in 1964 than the record peacetime budget of almost R129 million in 1963. The editorial of the same edition of *The Pretoria News* asserted that from a purely military point of view, it appeared unlikely that South Africa's immediate ability to defend itself effectively against aggression from outside, would be materially affected by the United States arms embargo. It went on to say that the real significance in what Stevenson had to say, lay on the diplomatic front and constituted a serious warning for future United States-South African relations, especially because the official United States view was one of a deadlock that existed between the majority of the world and South Africa. Still another article in the same edition expected that the Security Council was about to officially halt the sale of all kinds of arms and military equipment to South Africa. This assertion was based on statements by political observers that the cessation of all United States arms sales to South Africa was believed to have made it certain that the Security Council would adopt a recommendation to other states to follow in the footsteps of the United States.³⁷

Die Burger of 5 August 1963 expressed the view that one of the main consequences of the arms embargo was that South Africa would hasten the pace of its own arms production, so that the country could as far as possible be self-sufficient. The article also stated that in political circles, the feeling was that threats from the South African side wouldn't change the position that had been taken by the United States. Reference was made to the announcement of Commandant-General P.H. Grobbelaar of the South African Defence Force earlier in 1963 that South Africa could itself produce all the arms that it needed for its internal defence. Thus, South Africa did not need to buy any arms for its internal defence from the United States, or any other country for that matter.³⁸

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36. South Africa: The making of United States policy, 1962 - 1989, Microfiche collection: National Security Files, fiche 00053: *Telegram*: United States Embassy, Pretoria to Secretary of State, 1963-08-03; fiche 00054: *Telegram*: United States Embassy, Pretoria to Secretary of State, 1963-08-05.
37. *Pretoria News*, The, 1963-08-05, Arms ban may mean more tax to pay - S.A. could go it alone, p.1; *Pretoria News*, The, 1963-08-05, Warning from U.S.A.; *Pretoria News*, The, 1963-08-05, Security Council likely to call for total arms ban - Resolution on S.A. being prepared, p. 9.
38. *Burger*, Die, 1963-08-05. S.A. sal waarskynlik vinniger sy eie wapens maak, p. 1.

objectives. At least South Africa was not expelled from the United Nations as the Afro-Asian countries demanded, while at the same time, although it had to bear the wrath of the South African press, it was assured that normal United States relations with South Africa could for the time being continue.

CHAPTER 4

THE KENNEDY ADMINISTRATION'S IMPLEMENTATION OF THE ARMS EMBARGO, AUGUST - NOVEMBER 1963

4.1 INTRODUCTION

Although the arms embargo represented a shift in United States policy towards South Africa, it simultaneously encouraged those who were in favour of stronger measures against the latter country. In the days following Stevenson's announcement of the institution of a United States arms embargo against South Africa, the Afro-Asian nations exerted even more pressure in the United Nations for the institution of a total arms embargo against South Africa, and even Stevenson himself urged for additional steps to further disassociate the United States from South Africa. The Kennedy Administration was questioned on how and when it exactly planned to cut all arms sales to South Africa. The question was raised on why the United States did not immediately cease all sales instead of giving the South African Government the opportunity of building up stocks from the United States through the latter's announcement that it will only end the shipment of all arms to South Africa by the end of 1963. Awaiting advice from the Department of State, the United States delegates assured the Afro-Asian nations that the United States had already ceased all arms sales to South Africa, and planned to end all shipments of existing contracts by the end of 1963. The assurance was also given that the existing contracts did not include material that could be used by the South African police to enforce the policy of apartheid, but were rather of the kind that were necessary for defence against external aggression.¹

The South African Ambassador to the United States, Willem Naudé, from his side expressed uncertainty as to all the implications of Stevenson's announcement. He was especially interested in the future developments and ramifications of the United States policy, and consequently questioned the United States Department of State on two

1. Papers of President John F. Kennedy, National Security Files 159, p. 1: *Telegram*: A. Stevenson to Secretary of State, 1963-08-09; *South African Digest*, 1963-08-08, U.S. stand at U.N. fails to satisfy Africans, p. 3; T.J. Noer, *Cold War and Black Liberation*, p. 150.

aspects, namely when South Africa could expect the full implementation of the embargo, and the meaning of the paragraph in which it was stated that the United States was reserving the right in future to re-interpret the arms embargo policy if the need for the maintenance of international peace and security so required. He furthermore said that the South African Embassy interpreted this last point as the United States saying "*we won't give you any weapons now, but, if the enemy is ever at the gate, we will think about it*".² After this he added that under such circumstances, South Africa might choose not to accept any arms.³

The Department of State felt that it was especially important that Naudé be given a clear understanding of the significance of the arms embargo. The Assistant Secretary of State for African Affairs, Mennen Williams, in this regard specifically suggested that it had to be very frankly emphasized that the arms embargo was an action which on the one hand demonstrated how seriously the United States objected to the South African Government's policy of apartheid, and on the other hand indicated the determination of the United States of adding its weight to those who sought a redress of that policy. He also suggested that Naudé be discouraged of any ideas that could minimize the importance of the United States decision. Thus, it had to be specifically emphasized that the arms embargo was unambiguous, that the first paragraph of Stevenson's speech was indeed categorical and that the United States was actively considering what further steps to take to induce concessions by the South African Government. Williams added that Naudé had to be made to understand that the United States had bought very little time for South Africa in the light of the demands made by the Afro-Asian countries in the United Nations, and that it was now up to the South African Government to assist the United States by taking some conciliatory action in the abandoning of the policy of apartheid.⁴

4.2 THE UNITED NATIONS ARMS EMBARGO AGAINST SOUTH AFRICA

The United States' announcement of an arms embargo against South Africa was

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2. As quoted in National Archives Washington, D.C., Box 11: January - December 1963, File 8: Signature and clearance, GMW, August 1963, p. 1: **Letter:** G. Mennen Williams to A. Johnson, 1963-08-09.
 3. National Archives Washington, D.C., Box 11: January - December 1963, File 8: Signature and clearance, GMW, August 1963, p. 1: **Letter:** G. Mennen Williams to A. Johnson, 1963-08-09.
 4. Ibid., p. 2.

followed by numerous heated arguments in the General Assembly of the United Nations. During these arguments, it was especially the Afro-Asian nations who requested that all member states had to follow the example of the United States, without prejudice to requirements which may arise for the maintenance of international peace and security and for the exercise of collective self defence under Chapter 51 of the United Nations Charter. Consequently, it was expected by numerous countries in the United Nations that a resolution to that effect would soon follow. The United States delegation at the United Nations strongly felt that the Afro-Asian countries in such a case would not accept a qualification on an arms ban, although on the other hand they believed that there might be a tactical advantage in the United States attempting to secure some kind of qualification. After a brief review of the situation in the Security Council, the Department of State felt that any effort to seek an amendment of an arms embargo resolution to embrace the United States' reservations on future arms deliveries to South Africa, would be foredoomed to failure and merely arouse the suspicion of the Afro-Asian nations as to the sincerity of the United States. Therefore, some members of the Security Council were informed that the United States was willing to accept an unrestricted arms embargo request from members who wanted a total arms embargo against South Africa. It was however stressed that this was as far as the United States was prepared to go, and that it would not support a resolution requesting economic or diplomatic sanctions and the expulsion of South Africa from the United Nations.⁵ On 6 August 1963 Ghana, Morocco and the Philippines tabled a resolution calling on all member states of the United Nations to boycott South African goods and refrain from exporting to South Africa any material of direct military value. In the foreword to the resolution it was stated that South Africa had been strengthened in preceding months with weapons of which some were being used to enforce the South African Government's policy of apartheid. It was also declared that the situation in South Africa was threatening the world peace.⁶

The above resolution proved to be more contentious than the United States believed was useful or effective, and the latter had a number of objections to the resolution. In the first

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5. J.P. McWilliams, *Arm Scor, South Africa's arms merchant*, p. 12; Papers of President John F. Kennedy, National Security Files 159, *Telegram*: United States Embassy, United Nations to Department of State, 1963-08-03; Papers of President John F. Kennedy, National Security Files 159, pp. 1-2: *Telegram*: Department of State to United States Embassy, Moscow, 1963-08-05.
 6. Papers of President John F. Kennedy, National Security Files 159, p. 1: *Telegram*: United States Embassy, United Nations to Secretary of State, 1963-08-06; *Pretoria News*, The, 1963-08-07, Arms ban vote on South Africa likely today, p. 1; *Burger*, Die, 1963-08-07, Wapenverbod teen S.A. gevra - Boikot ook voorgestel, pp. 1, 4.

place, it was felt that the language of the resolution was unacceptable. For example, the United States could not agree to the recommendation of economic sanctions, as it would have put a clamp on trade with South Africa. Consequently, it was clearly stated that if this phrase should remain in the resolution, the United States would abstain on the resolution as a whole. Secondly, the United States objected to the clause containing a ban on strategic materials of direct military value. However, it was stated that the United States would be able to bear with such a clause, provided that it was made clear that the United States did not interpret it as applying to “grey area”⁷ commodities that were not destined for military use. Thirdly, the United States found one paragraph in the resolution particularly objectionable. It was a paragraph that read:

*“Regretting that some Member States are indirectly providing encouragement in various ways to the Government of South Africa to perpetuate by force its policy of apartheid”.*⁸

The United States felt that this paragraph did not clearly indicate which countries this statement was applicable to, but that it presumably referred to those nations which had previously supplied arms to South Africa. It was decided that if Britain and France should want a separate vote on this paragraph, the United States would be prepared to join them in not supporting it. Lastly, the United States felt that there were many ways in which the resolution could be improved, but the only way in which that could happen, was to persuade either Britain or France to veto certain paragraphs, or let the United States itself veto it. Consequently, the following recommendations were made: If France and Britain agreed, the United States would call for a separate vote on the paragraph quoted above. In such a case, it had to be explained that the United States still reserved the right to ship arms for common defence to South Africa if the maintaining of international peace so required. Furthermore, the United States delegation had to try hard to eliminate the recommendation for a boycott of all South African goods. If this provision was not eliminated, the United States was to abstain on the resolution as a whole. But, if the provision was eliminated, the United States had to vote affirmatively on the resolution as a whole.⁹

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7. Equipment like oil, machine tools, certain vehicles and aircraft, which could be used for both civilian and military use.
 8. As quoted in Papers of President John F. Kennedy, National Security Files 159, p. 3: **Memorandum**: George Ball to President Kennedy, 1963-08-06.
 9. Papers of President John F. Kennedy, National Security Files 159, p. 1: **Telegram**: United States Embassy, United Nations to Secretary of State, 1963-08-06; Papers of President John F. Kennedy, National Security Files 159, **Telegram**: Cleveland to Yost, 1963-08-06; Papers of President John F. Kennedy, National Security Files 159, **Memorandum**: W.H. Brubeck to President Kennedy,

On 7 August 1963 the Security Council adopted a resolution calling for an end to all shipments of arms, ammunition or military vehicles to South Africa. The United States, as planned, supported the clause for an arms embargo, but only after a change in the wording of paragraph seven of the resolution, namely from classifying the conditions in South Africa as "*seriously endangering international peace and security*" to language that classified the conditions as "*seriously disturbing international peace and security*".¹⁰ Charles Yost, a member of the United States delegation to the United Nations, in his explanation of the United States vote said that the Kennedy Administration was able to support the resolution because this change in wording had been a decisive factor. It reflected the attitude of the United States toward the apartheid policy of the South African Government. He furthermore stated that the United States also supported the request that all United Nations member states immediately cease all sales and shipments of arms and military vehicles to South Africa. Concerning the call for a boycott on trade with South Africa, the United States asked for a separate vote, resulting in this paragraph being rejected in the end. Regarding the resolution as a whole, Yost said that the United States did not consider the resolution as mandatory, but added that the United States profoundly hoped that the South African Government would take to heart this solemn warning from the highest organ of the United Nations.¹¹

4.3 THE IMPLEMENTATION OF THE UNITED STATES ARMS EMBARGO

With the Security Council meeting and resolution on South Africa done, the United States now stood before the issue of the implementation of the arms embargo that it had instituted against South Africa. It is a fact that public pronouncement does not immediately lead to official implementation, and thus the implementation of the United States arms embargo against South Africa first required some Government directives and

1963-08-07; Papers of President John F. Kennedy, National Security Files 159, pp. 1-4: *Memorandum*: George Ball to President Kennedy, 1963-08-06.

10. Armscor Archive, File number 1/17/6/1, Volume 4: 1979 - 1988, Division: Top Management: Foreign Affairs and Organization, *Presentation*, undated.

11. *New York Times*, The, 1963-08-08, U.N. adopts curb on South Africa, p. 1; *Pretoria News*, The, 1963-08-08, U.N. calls for ban on arms supplies to S.A. - Demand for total boycott rejected, p. 13; Armscor Archive, File number 1/17/6/1, Volume 4: 1979 - 1988, Division: Top Management: Foreign Affairs and Organization, *Presentation*, undated; A.M. Schlesinger, Jr. (Ed.), *The Dynamics of World Power: A documentary history of United States foreign policy 1945 - 1973*, Volume V, p. 979; *Burger*, Die, 1963-08-08, Beperkte wapenverbod teen S.A. - Boikot-voorstel verwerp, p. 1.

memorandums before an official policy could take shape.¹²

Serious questions were raised within the Department of State with regard to certain issues in the honouring of existing and pending contracts. This was complicated even more by the fact that, because of the lead time on certain of the contracted items, some banned items could only be shipped to South Africa in 1964 and even in 1965. Furthermore, what was not made public knowledge, was the fact that new contracts with South Africa for some limited types of military equipment, were contemplated by the United States Government for a few months following the announcement of the arms embargo. Officials of the Kennedy Administration also indicated that the United States intended to continue cooperation with South Africa in anti-submarine warfare training in the South Atlantic and Indian Ocean despite its arms embargo against the country. All this naturally led to concern by certain key persons in the Department of State, who feared the reaction that would follow if there were in fact additional sales of military items so short on the heels of the Security Council debate. Adlai Stevenson for example feared that if information on these intentions should become public knowledge at the United Nations, it would cause an uproar which could cancel out all the advantages of the arms embargo. Firstly, the desired impact on the South African Government would be dissipated. Secondly, the Afro-Asian nations and other countries who were so closely watching the United States' action with regard to South Africa, could then only conclude that the arms embargo was a phony. Stevenson understood that there would inevitably be grey area equipment that could be sold to South Africa, but he emphasized that it would be an error to sell equipment that could be viewed as borderline cases. He therefore strongly urged the Department of State to at once cease all arms sales to South Africa, and to renegotiate on standing contracts in order for it to comply with the announced policy. Then, once all these points had been cleared up in a satisfactory manner, the United States could announce, as it was not able to do in the Security Council at the time of Stevenson's speech, that all arms sales to South Africa had stopped and that all shipments of existing contracts would be completed by the end of 1963.¹³

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12. Armscor Archive, File number 1/17/6/1, Volume 4: 1979 - 1988, Division: Top Management: Foreign Affairs and Organization, *Presentation*, undated, p. 8.
13. *South African Digest*, 1963-08-08, U.S. stand at U.N fails to satisfy Africans, p. 3; Papers of President John F. Kennedy, National Security Files 159, pp. 1-2; *Telegram*: A. Stevenson to Secretary of State, 1963-08-09; T.J. Noer, *Cold War and Black Liberation*, p. 151; South Africa: The making of United States policy, 1962 - 1989, Microfiche collection, National Security Files, fiche 00066:

On the one hand, the United States was covered from a purely technical point in that it did not deny itself the possibility of concluding further arms-related transactions with South Africa up till the end of 1963. On the other hand, the general impression that had been left, was that the United States primarily intended to convey the thought that it had indeed changed its past policy on arms sales to South Africa and that future deliveries of arms would only be completed on those items for which contracts were entered into before the announcement of the arms embargo against South Africa. It was also feared that the South African Government would widely publicize any transaction with the United States as proof of the correctness of the claim being made by them that the United States arms embargo did not signify a departure from the past United States arms policy with regard to South Africa.¹⁴

4.3.1 The sale of submarines and C-130 spare parts to South Africa

What was clear at this point in time, was that the Department of State faced a difficult problem with regard to the decision to honour arms sales contracts with South Africa that had been entered into before the announcement of the arms embargo. Basically two contracts proved to be a major problem. The one problem concerned the sale of three modern conventional attack submarines to South Africa for \$40 million each. Kennedy had already approved the sale in March 1963, and this approval was communicated to the South African Government.¹⁵ Since then there had been an extensive exchange of messages regarding the visit of a United States technical team to South Africa before a final decision was reached on the issue, but such a visit was deferred by the Security Council meeting on apartheid in August 1963. The other problem concerned South African requests for the provision of spare parts for seven C-130 aircraft sold to South Africa in 1963 under a Department of State approved contract. According to the contract, the United States company Lockheed had agreed to provide the support needed for the maintenance of the aircraft, as long as the South African Government kept five of the aircraft in operation. This support also included the provision of spare parts for the aircraft. The predicament that the Kennedy Administration found itself in with this

Memorandum: Richard Gardner to Alexis Johnson, 1963-08-09.

14. South Africa: The making of United States policy, 1962 - 1989, Microfiche collection, National Security Files, fiche 00066: *Memorandum:* Richard Gardner to Alexis Johnson, 1963-08-09.
15. See discussion in Chapter 2.

contract, was that while it technically had to be honoured in the light of Stevenson's statement, it would create negative public opinion within the United States if it was indeed delivered. On the other hand, should the contract continue to be honoured, it would provide badly needed revenue to help with the United States balance of payments.¹⁶

The South African Government from its side did not remain quiet on the issue of the sale of the submarines and the C-130 spare parts, among other things. On 9 August 1963 the South African Ambassador to the United States, Willem Naudé, and the South African military attaché to the United States, Brigadier Moll, met with the United States Deputy Under Secretary of State, Alexis Johnson, for a review of the United States arms policy with regard to South Africa in the light of the institution of the arms embargo. Naudé especially enquired about the implementation of the embargo. Johnson replied that it was still too early to answer all questions as to the precise date of the implementation of the embargo, but said that the implementation would be carried out through the licensing of contracts, and that it was necessary that all pending licensing applications be reviewed. He however emphasized that when Stevenson declared on 3 August 1963 that the United States was ending all sales of arms, munitions and military supplies to South Africa, he meant precisely that, although the United States realised that there would be some grey areas depending on the definition of certain categories. Where the United States had previously only limited sales of arms that could be used to enforce the policy of apartheid, the sale of all kinds of military equipment would now be suspended. Concerning the previous commitment of the United States to the sale of air-to-air missiles and torpedoes, as well as the sale of spare parts for the C-130 aircraft, Johnson said it would be honoured. He however clearly stated that the C-130 spare parts lay within a grey area, and had to be reviewed. On the question of the submarines, Naudé asserted that submarines formed part of the common defence effort that Stevenson spoke of in his speech on 3 August 1963. Thus, because of the United States declaration that it would reserve the right in future to supply arms to South Africa if the maintenance of international peace so required, Naudé felt that the negotiations for the sale of the submarines had to continue. Naudé also enquired on the possibility of

16. Papers of President John F. Kennedy, National Security Files 159, p. 2: *Memorandum*: George Ball to President Kennedy, 1963-08-28; South Africa: The making of United States policy, 1962 - 1989. Microfiche collection, National Security Files, fiche 00079: *Memorandum*: Under Secretary of State to President Kennedy, 1963-08-28; T.J. Noer, *Cold War and Black Liberation*, p. 151.

submitting new South African requests for arms. Johnson replied that South Africa was free to submit any new applications, but said they might not be approved. He then reaffirmed that the South African Government had to realize that there had come a definite change in the United States policy towards arms sales to South Africa.¹⁷

It seems as if the strategic importance of South Africa was, despite the above statements by Johnson, still a major consideration to the United States. It was especially the United States Department of Defence which rekindled this fire in the discussion surrounding the issue of the submarine sales to South Africa. They indicated that they wanted to go ahead with the next steps in supplying the submarines to South Africa, and argued that any further delay would be construed by the South African Government as an unwillingness on the part of the United States to supply the submarines. The Department of Defence feared that the negotiations for the ongoing use of the missile tracking station outside Pretoria would be undermined if the Kennedy Administration did not come to a fast decision on the issue. That placed the Department of State in a very difficult situation, because they realised that the United States would be required to make some statements with regard to the implementation of the arms embargo in the upcoming United Nations General Assembly meeting in November 1963. If the question of the submarines and the C-130 spare parts were not resolved by then, a very strong possibility existed that the Afro-Asian nations would claim that the United States did not live up to its commitment. Furthermore, the South African Government could claim that the arms embargo really did have little meaning.¹⁸

The United States Department of State initially recommended that the decision on the sale of the submarines be postponed. On the one hand, the sale would have come under the assumption set forth in Stevenson's statement on 3 August with respect to the supplying of arms to South Africa should the United States feel that it was necessary for the maintenance of international peace and security. In fact, this statement by Stevenson was drafted in exactly this way with the view of keeping open the possibility of the

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17. South Africa: The making of United States policy, 1962 - 1989, Microfiche collection, National Security Files, fiche 00068: *Telegram*: Department of State to United States Embassy, Pretoria, 1963-08-10.
 18. Papers of President John F. Kennedy, National Security Files 159, *Memorandum*: S.E. Belk to McGeorge Bundy, 1963-08-29; South Africa: The making of United States policy, 1962 - 1989, Microfiche collection, National Security Files, fiche 00079: *Memorandum*: Under Secretary of State to President Kennedy, 1963-08-28.

submarine sale! On the other hand - if the United States told South Africa so shortly after the Security Council session of August 1963 that it was willing to make the sale, then the practical effect would have been to undercut the impact of its arms embargo policy on the South African Government. It was in any case realised that it would undoubtedly have taken quite some time before South Africa started to appreciate the full meaning of the arms embargo, and that the United States could perhaps only tell by January 1964 whether this policy was taking effect or not. The Department of State thus proposed that South Africa be told that the United States had not yet made a decision on the matter and that it was being examined in terms of the consistency of such a sale with the arms embargo policy. If the South African Government indicated that they would then be forced to turn to other sources of supply for the submarines, the United States had to respond in saying that this possibility had been inherent in the situation since the beginning, and that the decision still had to be made by the South African Government. On the question of the C-130 spare parts, the Department of State recommended that requests for licenses made after the end of 1963 for the sale of C-130 spare parts, had to be approved. Although these aircraft could be used to transport troops and equipment for internal security operations, the State Department felt that it was hard to draw a line between such aircraft and other commercial aircraft which also had troop-carrying capacity, or in fact other means of transporting troops, such as busses and trucks, which were being licensed for sale to South Africa. Thus, the United States' approval of the continuation of the contract between Lockheed and South Africa for the supplying of C-130 spare parts, weighed heavily in favour of an affirmative response.¹⁹

In the light of the above-mentioned recommendations by the Department of State, Kennedy requested that the following be considered by the Departments of State and Commerce: If it was to be assumed that the decision was ultimately made to effect, if possible, the sale of three submarines to South Africa, then, how could the possibility of effecting the sale be kept open during the upcoming United Nations General Assembly meeting of November 1963 with the assumption being that the contractual arrangements would not be concluded until after the end of 1963, and, in the view of this question, should the sale of the submarines be kept open? In answer to Kennedy's request, both

19. Papers of President John F. Kennedy, National Security Files 159, p. 6: *Memorandum*: George Ball to President Kennedy, 1963-08-28; South Africa: The making of United States policy, 1962 - 1989, Microfiche collection, National Security Files, fiche 00079: *Memorandum*: Under Secretary of State to President Kennedy, 1963-08-28.

the United States Departments of State and Commerce felt that at the minimum, it had to be enquired from the South African Government if they still wished to purchase the submarines, while the United States at the same time indicated that it could not undertake any negotiations on a contract in this regard before the end of 1963. At the maximum, the two Departments suggested that two qualified United States officials be sent to South Africa to obtain from the latter a clearer definition of its desires concerning the sale of the submarines. As a favourable point to the sale, they felt that the United States was obligated to advise South Africa rather soon on the sale of the submarines, given the discussion between the South African Ambassador Willem Naudé and Alexis Johnson on 9 August 1963, as well as an enquiry by the South African Naval Chief of Staff early in September 1963 on when the United States planned to send the long-awaited technical team to South Africa. Unless this was done within the near future, South Africa would probably decide to purchase similar submarines from European countries. Another favourable point concerned yet again the missile and satellite tracking station near Pretoria, which the two Departments were afraid of losing should the United States decide not to sell the submarines to South Africa. They viewed the tracking station as an important part of United States security, because it was very strategically situated. As a negative point to the sale, the two Departments felt that the sending of two officials to South Africa, as well as subsequent technical discussions on the submarines, could be exploited by the South African Government to support their assertion that the arms embargo really didn't have any meaning.²⁰

On 9 September 1963, Kennedy told Stevenson that he was considering permitting the sale of the submarines to South Africa. Stevenson appeared not happy at all with it, and pointed out that if the sale was indeed permitted, it would pose difficulties with the Afro-Asian nations, who were convinced that the arms embargo was total as from 1 January 1964. Kennedy reacted by saying that the sale would mean nearly \$100 million for the United States. If the Afro-Asians stayed mad for three days, then it would be worth making \$100 million. If they however continued to stay mad, it might not be worth the money. This comment one way or another leaked to the *New York Times*, and was published the next day. Kennedy was infuriated by it, and suspected Stevenson of having passed on the remarks. Stevenson's innocence was however later proved, but that did

20. Papers of President John F. Kennedy, National Security Files 159, p. 1: *Memorandum*: Dean Rusk, Robert McNamara to President Kennedy, 1963-09-19.

not undo the harm that the article in the *New York Times* had done. The Afro-Asians regarded the comment as proof that the United States was not serious in its implementation of the arms embargo.²¹

After this incident, the United States Departments of State and Commerce proposed two lines of action. Firstly, the United States could tell the South African Government that the consideration of the sale had to be postponed for a further period of time, with the possibility of the United States losing the sale, as well as the possibility of impairing the ability of the United States in using the missile tracking station near Pretoria. However, this possibility had to be weighed against the importance of other facilities elsewhere in Africa. Secondly, the action suggested in the above paragraph could be taken. That would have meant that the United States had to ask South Africa if the latter was still interested in the sale of the submarines, even though a contract could not be signed until after the end of 1963. If the South African Government was still interested, then the United States, on a preliminary basis, had to send the two qualified officials to South Africa without any delay. This option seemed to be the more favourable one, and was also preferred by the United States Department of Defence. Concerning the sale of spare parts for the C-130 aeroplanes, the Departments of State and Defence agreed to recommend the continued sale there-of, as it would then simply be the carrying out of a commitment undertaken prior to the adoption of the United States arms embargo policy. Both the Departments however felt that the United States arms embargo commitment had to be considered in reaching a decision.²²

By the end of September 1963, Kennedy had approved the recommendation to continue with the sale of C-130 spare parts to South Africa after the end of 1963. With respect to the possible sale of the three submarines to South Africa, he approved the second line of action as discussed above, but with specific limitations. He said that it had to be made clear to the South African Government that any informal discussions on the issue for the remainder of 1963, were to be strictly confidential, and involved no commitment from the part of the United States to sell the submarines to South Africa. Furthermore, it had to be made clear that the United States could make no definite decision on the sale

21. T.J. Noer, *Cold War and Black Liberation*, p. 151.

22. Papers of President John F. Kennedy, National Security Files 159, pp. 5-6: *Memorandum*: Dean Rusk, Robert McNamara to President Kennedy, 1963-09-16; Papers of President John F. Kennedy, National Security Files 159, pp. 1-2: *Memorandum*: W.H. Brubeck to President Kennedy, 1963-09-18.

before the end of 1963. By November 1963, there had already been a first round of talks between South Africa and the United States Departments of State and Defence, and another round of exploratory talks were in the pipeline. South Africa was still interested in buying the submarines from the United States, but indicated a preference for a smaller, cheaper submarine.²³ Thus, by the time of Kennedy's assassination on 22 November 1963, the issue was still unresolved.

4.3.2 The sale of other military equipment

Shortly after the institution of the arms embargo against South Africa, the Department of State recommended that in order to carry out the intention of the arms embargo, it was necessary to deny South Africa certain commodities that were previously under the United States Department of Commerce's export licensing control. This mainly included the following commodities: military automotive vehicles, military transport aircraft, .22 calibre and under rifles and pistols, as well as component parts and ammunition for these, shotguns and the ammunition for it, and bayonets. The Department of Commerce however felt that in cases that should arise in which, because of special circumstances, an exception of the arms embargo policy would be appropriate, the case should be discussed and given favourable consideration. But this was exactly the kind of comment that staunch supporters of the arms embargo, like Adlai Stevenson, didn't want to hear. In a telegram to the United States Secretary of State, on 13 September 1963, he strongly objected to any delivery of military equipment to South Africa whatsoever. He reiterated that the points that he made in announcing the United States arms embargo against South Africa on 2 August 1963, clearly stated that only existing contracts would be carried out and no further contracts undertaken. He also said that in order to further emphasize the significance of the arms embargo and to avert any equivocation, the United States had to make every effort to complete deliveries on the existing contracts by the end of 1963, if necessary by drawing on the United States' own arms stocks. On those items where this could not be done, he suggested the possibility of renegotiating contracts as to comply with what was understood to be the announced United States

23. Papers of President John F. Kennedy, National Security Files 159, *Memorandum*: McGeorge Bundy to Dean Rusk, 1963-09-23; Papers of President John F. Kennedy, National Security Files 159, *Memorandum*: W.H. Brubeck to President Kennedy, 1963-11-19.

policy of an arms embargo against South Africa. It may be that Stevenson's concerns were in a way not necessary. Some arms providing companies had tried to have the arms embargo eased, but their efforts had been largely unsuccessful. By October 1963, the Kennedy Administration had publicly stated that they had already stopped approving export licenses for commercial arms shipments to South Africa. Furthermore, the South African Government had also been advised to discontinue discussions with United States manufacturers about buying fighter planes. In addition, Kennedy stated that a decision would be made by the end of 1963 to meet the timetable of the arms embargo.²⁴

4.4 REACTION TO THE IMPLEMENTATION

The reaction to the implementation of the arms embargo was widespread. While the United States delegation at the United Nations continued along the line of believing that it was important to maintain the ban on further arms sales to South Africa, some other members of the Kennedy Administration and the United States Congress demanded an explanation from the State Department for that which they viewed as intervention in the internal affairs of one of the allies of the United States. Mennen Williams, Kennedy's Assistant Secretary of State for African Affairs, from his side expressed unhappiness about Kennedy's intention to approve both the sale of the submarines and the continued supply of C-130 spare parts to South Africa. He had told the leaders of the African states that the United States would cease all military cooperation with South Africa, which was, in the light of Stevenson's announcement, an inaccurate interpretation. It provoked an enraged reaction from the United States Ambassador to South Africa, Joseph Satterthwaite, who contacted Rusk and asked whether South Africa, as a valuable ally to the United States in three previous wars, had lost all strategic, military and scientific importance to the United States. He said that an end to all technical and military aid to South Africa would only encourage insurrection and communism in that country and also

24. Lyndon B. Johnson Library, National Security Files, Country File, Box 76, File: Africa General Memo's and Miscellaneous, Volume 1, **Letter:** Department of State to Chairman: Operating Committee, 1963-09-12; South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00082: **Telegram:** Adlai Stevenson to Secretary of State, 1963-09-13; **New York Times**, The, 1963-10-10, U.S. halting sales for South Africa, p. 8; **Burger**, Die, 1963-10-11, V.S.A. beperk wapens vir S.-Afrika, p. 17; T.J. Noer, **Cold War and Black Liberation**, p. 152.

would have no effect on the apartheid policy.²⁵

A particularly pro-South African plea came from the side of a former United States Ambassador to South Africa, Philip Crowe. In a letter to the *New York Times* of 19 August 1963, Crowe said that the decision taken by the Kennedy Administration to impose an arms embargo against South Africa, had weakened the only sovereign nation in Africa on whom the United States could count for a firm stand against communist aggression. He admitted that the decision was undoubtedly popular with most Americans, as the United States as a nation opposed apartheid, but went on to say that another factor involved in the decision was seldom, if ever, mentioned. That was, (yet again), the military and naval importance of South Africa to the West, especially in the event of the Suez canal being closed during a limited war. In such a case, the South African harbours and airfields would have been of great importance to the West. South Africa also had a long record of supporting the West in battle, and, undoubtedly having the best army and navy in Africa, it was a valuable addition to the defence of the Western World. Crowe felt that by denying South Africa all arms, the United States was denying a potential ally the ability to help it in case of future hostilities.²⁶

Crowe's letter drew widespread reaction. In a letter published in the *New York Times* of 27 August 1963, the writer said that he was amused with Crowe's urging that, "*in spite of South Africa's wretched apartheid, we should hang on to her as a potential military asset*".²⁷ He also said that Crowe's letter was precisely the line that the United States had followed for nearly 20 years, with regrettable consequences. By imposing an arms embargo against South Africa, the United States was finally injecting a bit of morality and common sense into its alliances, without looking first to military strategy and advantage.²⁸ From the South African side, extensive coverage was given to Crowe's letter by almost all the major South African newspapers. They however did not comment

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25. Papers of President John F. Kennedy, National Security Files 159, *Telegram*: United States Embassy, United Nations to Secretary of State, 1963-08-12; South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00069; *Letter*: Senator Allen J. Ellender to Assistant Secretary of State, 1963-08-12; T.J. Noer, *Cold War and Black Liberation*, p. 152.
26. *New York Times*, The, 1963-08-19, Arms ban on South Africa - Our decision, former Ambassador says, overlooks her value as ally; *South African Digest*, 1963-08-29, Arms ban on S.A. - U.S. weakens only reliable ally in Africa, p. 3.
27. As quoted in *New York Times*, The, 1963-08-27, Morality in foreign policy, p. 6.
28. *New York Times*, The, 1963-08-27, Morality in foreign policy, p. 6.

on the letter, but quoted extensively from it. The only newspaper that used Crowe's letter as basis for a discussion of the value of South Africa to the United States, was the South African daily *Die Transvaler*. In the article Mennen (Soapy) Williams and Adlai Stevenson were severely attacked for their outspokenness against South Africa, in comparison with Crowe who, in the opinion of the reporter, was at least not blind for the value of South Africa to the United States.²⁹

A sharp attack against the arms embargo was made by the editor of the *News and Courier*, a local newspaper in the United States city Charleston. This commentator stated that in declaring that the United States would halt sales of military equipment to South Africa by the end of 1963, the Kennedy Administration had supinely yielded to the demands of the Afro-Asian nations. In the view of the *News and Courier*, it was a morally indefensible attitude and policy in the light of the joint naval maneuvers off the Cape of Good Hope that the United States joined in during 1963, as well as the sale of the C-130 aircraft and limited supplies of other weapons, including air defence missiles, to South Africa. Thus, if it was morally correct to conduct joint naval manoeuvres with South Africa in 1963, why would it be morally wrong to send arms to South Africa in 1964? The conclusion that the editor came to, was that 1964 was election year in the United States, and that Kennedy was determined to appease the Afro-Americans by adhering more and more to the demands of the Afro-Asian nations.³⁰

From a business point of view, several unhappy United States businessmen voiced their concern over the arms embargo. They felt that it would cost their companies considerable loss of business. One example of a strong appeal that was made in this direction, is that of the *Kaiser Jeep Corporation*, which was concerned that their company would not only suffer the loss of sales, but also the probable closing down of the assembly plant of their South African subsidiary. Another company, *Miller, Arthur and Gregg Inc*, said they could not understand the reasoning behind the arms embargo policy. On the one hand, the United States was perfectly willing to provide arms to South Africa that were essentially designed for the purpose of external military defence, but

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29. South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00077: **Telegram**: United States Embassy to Secretary of State, 1963-08-22.
30. **South African Observer**, September 1963, U.S. arms ban on South Africa is 'shabby politics', p. 9; South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00075: **Letter**: Miller, Arthur and Gregg Inc. to Department of State, 1963-08-19.

arms or equipment that were normally used for internal security, were to be denied. Thus, what it amounted to, was that the Kennedy Administration was willing for South Africa to be destroyed from within, but didn't want it to be destroyed from the outside. Putting it another way - the Kennedy Administration wanted to be sure of South Africa's assistance in repelling communist aggression, while at the same time refusing the latter to defend itself from within. In doing this, *Miller, Arthur and Gregg, Inc.* argued, the United States sought to destroy one of the best friends the United States had ever had.³¹

The South African Minister of Foreign Affairs, Eric Louw, addressed the issue for the first time early in September 1963 by making it the major topic of an address to a Nationalist Party rally. He declared to the United States that if the latter went on with attacks like the arms embargo against South Africa, then he was not so sure of continued assistance and friendship from the South African side. He said that the United States probably argued that they already had safe, established export markets and investments in South Africa, and could now move on to keeping the friendly cooperation of the black African states. But Louw emphasized that the United States ought not to be so sure of its case. For example, the denying of the naval facilities at Simonstown to the United States and Britain by South Africa, could cause major damage for them. Furthermore, had the United States ever thought about the possibility of a black Government in South Africa following a neutral policy with favouritism to the communist countries? What would then become of the naval base at Simonstown and the sea route around the Cape? Louw concluded his statement by saying that the United States had to be reminded of the possible consequences of its actions against South Africa. South Africa had always done its part in the struggle against communism, even amidst an unfriendly and sometimes hostile attitude from the Western countries. The South African Minister of Defence, Jim Fouché, in a statement from his side continued along this same line, and also declared that even though the United States, amongst others, planned to stop arms supplies to South Africa, he foresaw great progress in the field of arms manufacture in South Africa, in the light of numerous requests received by numerous countries for the establishment of arms manufacturing industries in South Africa. And in the United States, South African Ambassador Naudé accused Kennedy of trying to buy African-American votes, and

31. South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00070: *Memorandum of Conversation*, Security Council Resolution on denial of arms, ammunition and military vehicles to South Africa, 1963-08-16; fiche 00075: *Letter*: Miller, Arthur and Gregg Inc. to Department of State, 1963-08-19.

vowed that nothing could deter the South African Government from implementing the apartheid policy.³²

4.5 CONCLUSION

From the discussion above, it is clear that the United States had saddled itself a wild horse when it announced the institution of an arms embargo against South Africa. There are several reasons for this statement. Firstly, the institution of the embargo failed to satisfy the Afro-Asian nations in the United Nations. The United States did not view the embargo as mandatory, while the Afro-Asians wanted a total arms embargo. Furthermore, when Stevenson announced that the United States still reserved the right to provide arms to South Africa, it led to the Afro-Asians feeling that the United States was not really sincere in its intention. In addition, the statement that said that the United States would end all arms sales to South Africa by the end of 1963, while the embargo was already instituted in August, led the Afro-Asians to believe that the United States was offering the South African Government the opportunity to still procure the weapons they needed before the embargo went into effect legally. On the other hand, the Afro-Asians did not linger to follow in the steps in the United States, as the resolution that was adopted in the United Nations Security Council on 7 August 1963, indicated. Secondly, South Africa expressed uncertainty as to the full extent of Stevenson's announcement. This was however the typical presumptuous South African attitude of we-don't-need-you-anyway that was displayed every time any international action was taken against it. Lastly, there was the case of United States contracts with South Africa for the supply of certain military material that were entered into before the institution of the arms embargo. It was announced that these contracts would be honoured, and this proved to be a thorny issue for the Kennedy Administration, especially because the C-130 aircraft spare parts had to be supplied on a continuous basis. These three factors made it difficult for the Kennedy Administration to decide on a formal policy on how to implement the arms embargo - something that was cut short by Kennedy's assassination in November 1963.

32. *Burger*, Die, 1963-09-11, Louw waarsku V.S.A. en Britte: S.A. kan terugslaan, p. 3; *South African Digest*, 1963-09-19, S.A. flooded with requests for manufacture of arms, p. 2; T.J. Noer, *Cold War and Black Liberation*, pp. 149 - 150.

CHAPTER 5

THE JOHNSON ADMINISTRATION'S IMPLEMENTATION OF THE ARMS EMBARGO, 1963 TO 1968

5.1 INTRODUCTION

Lyndon B. Johnson succeeded Kennedy as United States president after the latter's assassination in November 1963. In November 1964 he was again elected president in the United States presidential elections, and he held this position until January 1969. His administration faced the particularly difficult task of implementing the arms embargo that the Kennedy Administration had instituted against South Africa in August 1963, followed by the voluntary United Nations arms embargo against South Africa, which the United States supported. What made this task difficult, was that Johnson, as Kennedy's Vice President, had to adjust frantically to Kennedy's assassination, the transfer of power and the fact that there were less than six weeks left before the end of 1963, when the arms embargo was supposed to go into effect. What made the matter still more difficult, was that only four days after Kennedy's death, the South African government offered to send a delegation to the United States to complete arrangements for the sale of the submarines. Dean Rusk immediately discouraged such a visit until the situation in the United States had quietened down a bit.¹

In December 1963, another United Nations resolution called for the implementation of the arms embargo. The United Nations embargo was simultaneously broadened to cover sales and shipments of any equipment or material that could be used for the manufacture and maintenance of arms and ammunition in South Africa. The United States supported this resolution, and declared that it would carry out this measure as corollary of its own policy as announced by the United States Ambassador to the United Nations, Adlai Stevenson, on 2 August 1963. The problem that the Johnson Administration however faced, was that the Executive Order by which the United States arms embargo against South Africa was instituted, did not fully lay out the lines of responsibility, detail the

1. T.J. Noer, *Cold War and Black Liberation*, p. 152.

decision process, or enunciate criteria for judging the export of grey area goods. Furthermore, there was still the clause of the United States reserving the right in future to interpret the arms embargo policy in the light of requirements that could emerge for the maintenance of international peace and security. Many saw this clause as an escape gate.² The Johnson Administration thus faced the enormous task of instituting guidelines for the effective implementation of the arms embargo - not an easy task, as the following quotation from a 1966 United States Department of State memorandum clearly indicates:

"The complex of problems found in Southern Africa represents one of the thorniest, most contradictory and, potentially, most explosive foreign policy questions in the world today".³

5.2 JOHNSON'S MACHINERY FOR THE IMPLEMENTATION OF THE ARMS EMBARGO

The Johnson Administration started off its implementation of the arms embargo by announcing in December 1963 that the United States was indeed following the arms embargo policy against South Africa as announced on 2 August 1963, and that it was expecting to terminate the sale of all military equipment to the South African Government by the end of 1963. In line with this policy, the United States Department of Commerce authorised the denial of export to South Africa of: military automotive vehicles, military transport aircraft, rifles and pistols (.22 calibre and under), component parts and ammunition, and bayonets. Multi-purpose items such as petroleum products or raw materials were not regarded as being within the scope of this policy. Any sales of United States military equipment to the South African Government, had to be made under terms of the United States arms policy. Thus, the South African requests for the purchase of military transport aircraft and a fleet oiler were not acceptable to the United States Government. Concerning naval torpedoes and air-to-air missiles: If they formed

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2. T.J. Noer, *Cold War and Black Liberation*, p. 152; A.M. Khalifa, The adverse consequences of military and economic assistance to South Africa, *Objective Justice* 8, Autumn 1976, pp. 9 - 17; A.M. Schlesinger, Jr. (Ed), *The Dynamics of World Power: A documentary history of United States foreign policy, 1945 - 1973*, Volume V, pp. 432, 984; Lyndon B. Johnson Library, National Security Files, Country File, Box 78: Africa, Union of South, Volume 1: *Telegram*: Department of State to United States Embassy, Pretoria, 1963-12-10; Western Massachusetts Association of Concerned African Scholars, *U.S. military involvement in Southern Africa*, pp. 222 - 223.
 3. As quoted in Lyndon B. Johnson Library, National Security Files, Country File, Africa, Union of South, File: Memo's and Miscellaneous, Volume II: *Memorandum*, 1966-08-23.

part of existing contracts that were mentioned by Stevenson on 2 August 1963 as exceptions to the embargo, it had to be honoured, and the sale could then be approved under regular procedures. However, if the South African Government wanted to buy these items as new purchases not covered by existing contracts, then the sale could not be approved.⁴

At the start of 1964, the arms embargo was thus theoretically in effect, with certain guidelines. But some major policy issues nonetheless remained. One of these issues was the submarine sale, for which negotiations between South Africa and the United States still continued. Stevenson regarded this continued negotiation as a violation of the arms embargo policy. He felt that the United States would have a hard time defending the sale even if it was approved under the possible exception of the clause providing for the supplying of weapons to South Africa for the maintaining of the international peace. He recommended that if South Africa really needed the submarines for security purposes, the United States should arrange for the purchase there-of from France or Britain, in order to avoid political embarrassment for the United States. In the end, South Africa indeed turned its back on the United States, and ordered three submarines from France in 1967. The first of these was delivered in July 1970.⁵

On 7 January 1964, a confidential memorandum was distributed within the executive branch of the United States Department of State. According to this memorandum, certain items were identified that could no longer be exported to South Africa. These included: Items on the United States Munitions List⁶, arms, ammunition and military vehicles, as designated in the United Nations Security Council resolution, items that could be significantly used in combat or training by the South African military, police and paramilitary forces, and items especially designated by the United States Department of State. But these items were not itemized, with the exception of the Munitions List items,

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4. Lyndon B. Johnson Library, National Security Files, Country File, Box 78: South Africa, Union of South, volume 1: *Telegram*: Department of State to United States Embassy, 1963-12-10; Armscor Archives, File 1/17/6/1, Volume 4: 1979 - 1988, Division: Top Management: Foreign Affairs and Organization, p. 40; *Presentation*: Prepared for an Institute of Policy Studies-Carnegie Endowment for International Peace Conference on Conventional Arms Trade, undated; Western Massachusetts Association of Concerned African Scholars (ed.), *U.S. military involvement in Southern Africa*, p. 229.
 5. T.J. Noer, *Cold War and Black Liberation*, p. 153; *New York Times*, The, 1970-07-25, France delivers submarine, first of 3, to South Africans, p. 23.
 6. The Munitions List covers items used by the Department of State's Office of Munitions Control in its control of weapons exports.

and much was left to the discretion of the decision maker. Concerning the contractual and general defence exceptions referred to by Stevenson, the following exceptions were recognized:

- Items of dual utility for civilian use - these were items which had a distinct non-military utility, although no arms, ammunition or other items of a weapons nature were to be exported or sold to South Africa, even if they were ordered by and for civilian non-Governmental users;
- Contract items, which it was clearly stated on 2 August 1963 by Stevenson, would be honoured. By virtue of this exception, the United States was prepared to supply parts and follow-on hardware for United States supplied equipment if the obligation to supply these items was explicitly stated in the original contract. However, only contract obligations entered into on 2 August 1963, or prior there-to, could be relied upon by the South African Government.
- Items required to assure the maintenance of international peace and security. Such exceptions would be made only on approval by the United States president.
- The deferring of a decision on pending applications for spare parts for equipment which had originally been sold to the South African Navy by the United States Department of Defence, until such time that the United States had decided whether or not to proceed with the pending submarine sale⁷ to South Africa. The material involved in these pending applications included underwater detection equipment, radio and teletype equipment and special purpose binoculars.⁸

7. See discussion under 4.3.1.

8. Western Massachusetts Association of Concerned African Scholars, *U.S. military involvement in Southern Africa*, p. 223; Lyndon B. Johnson Library, National Security Files, Country File, Box 76, Africa General Memo's and Miscellaneous, Volume 1: *Letter*: President Johnson to The Secretary of State, 1964-01-20; S. Gervasi, *The United States and the arms embargo against South Africa: Evidence, denial and refutation*, p. 25.

The exception on dual utility or grey area goods, was particularly difficult to define, because, on what basis could a product be defined as suitable for both military and civilian use? The above-mentioned directive provided for this difficult issue by allowing only those goods with a distinct non-military nature, to be exported, and only if the buyer was a civilian and non-governmental South African. Applications for the export of grey area items were to be examined by representatives from the State Department's Office of Legal Advisor, Office of Munitions Control, Bureau of Political-Military Affairs, Bureau of African Affairs, the Office of Military Affairs in the Economic Bureau and personnel from the United Nations section of the Bureau for International Organizations. If this group was unable to decide on whether the product under question should be exported or not, the case was to be referred to the Under-Secretary level within the United States Department of State. No other United States governmental departments were included in the evaluation team, leaving the Department of State as the organ which carried much of the weight in making decisions on grey area goods.⁹

Some guidelines had now been laid down, but effective implementation of the embargo was yet to be achieved. The statement by Stevenson that the United States would honour existing contracts and consider future arms sales to South Africa in the case of world peace being threatened, left open the possibility of supplying military items to South Africa even after the official start of the embargo on 1 January 1964. Thus, on 17 January 1964, Johnson held a consultation with interested governmental Bureaus and Offices in order to finally settle a problem which arose from the commitment to honour existing contracts. Another problem that had arisen in the meantime, was that the South African Government had entered into contracts for C-130 spare parts with suppliers other than Lockheed. In view of Stevenson's statement on 2 August 1963, which clearly stated that the United States would honour only existing contracts and bring to an end the sale of all military equipment by the end of 1963, Johnson decided to make the decision that these export applications could not be approved unless they be brought into the framework of the pre-existing Lockheed contract. Johnson also instructed that the South African Government had to be informed of this fact.¹⁰

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9. Armscor Archives, File 1/17/6/1, Volume 4: 1979 - 1988: Division: Top Management: Foreign Affairs and Organization: **Presentation**: Prepared for an Institute of Policy Studies-Carnegie Endowment for International Peace Conference on Conventional Arms Trade, undated.
 10. Lyndon B. Johnson Library, National Security Files, Country File, Box 76, March 1964. File: Africa General Memo's and Miscellaneous, Volume 1: **Letter**: Lyndon B. Johnson to Secretary of State, 1964-01-20; T.J. Noer, *Cold War and Black Liberation*, p. 162.

On 20 January 1964, another significant revision occurred when the United States Department of Commerce's Bureau of International Commerce authorized the denial of the export to South Africa of items primarily used in the manufacture of arms, ammunition and implements of war. Nevertheless, the directive still allowed for the review of applications for the export of shotguns and ammunition, .22 calibre (and under) rifles, pistols, component parts and ammunition on a case-to-case basis. The rationale behind this was that the United States Secretary of Commerce apparently believed that, in certain instances, the exports might have been for private firms in South Africa. There was however no definition or criteria formulated to identify those private firms.¹¹

The South African side was not so easily convinced that the United States was serious in its intentions to make the arms embargo work. In March 1964, a special South African cabinet meeting was held for the purpose of discussing national defence matters, determining defence weaknesses and planning what actions to take to improve the defence of South Africa from external aggression. In conclusion, it was agreed that additional defence equipment was urgently needed. The need for additional transport and anti-submarine warfare patrol aircraft, submarines and a reliable air defence system was specifically verbalised, and it was enquired from the Commandant General of the South African Defence Force, P.H. Grobbelaar, from which country he expected to purchase such equipment. Grobbelaar answered that although it appeared as if the United States was not willing to sell any military equipment to South Africa, he would have liked to make one more approach to that country, as, in the long run, it would be the best country to deal with. Most of the South African ministers were at that stage quite anti-United States due to the arms embargo, but Grobbelaar emphasized that South Africa would be better off with United States equipment. He went on to say that if such a request would be made, it would not be for equipment that could embarrass the United States internationally if sold to South Africa.¹²

Meanwhile, in the camp of the United States Government, there were still opposing views on whether or not to support South Africa militarily. It was especially the Chiefs

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11. Armscor Archive, File 1/17/6/1, Volume 4: 1979 - 1988, Division: Top Management: Foreign Affairs and Organization, pp. 40 - 41: **Presentation:** Prepared for an Institute of Policy Studies-Carnegie Endowment for International Peace Conference on Conventional Arms Trade, undated.
 12. Lyndon B. Johnson Library, National Security Files, Country File, Box 76, File: Africa General Memo's and Miscellaneous, Volume 1: **Telegram:** United States Embassy, South Africa to Department of State, 1964-03-24.

of Defence of the United States Department of Defence who were in favour of continued, but limited support to South Africa. It was clear that they rather wanted to follow a policy of friendly persuasion of South Africa instead of any consideration of sanctions, which they viewed as a matter of the future. They felt that the United States had to proceed with sales of strategic equipment that the South Africans verbalised a need for, such as submarines and air-to-air missiles. They also felt that the stability of South Africa under all circumstances, the maintenance of United States ties and influence in South Africa, the alignment of South Africa with the Western powers and the continuance of the existing United States space and tracking facilities, had to be primary objectives in the formulation of a policy with regard to arms sales to South Africa.¹³

The feelings of the United States Department of Defence were however not fully part of what the United States Department of State felt was desirable. Partly in answer to the recommendations of the Department of Defence, the Department of State compiled a National Security Action Memorandum in April 1964 which stated that the existing policy on military sales to South Africa would continue. Decisions regarding the possible sales of submarines or any variations in the existing policy were to be postponed and considered only in the light of further developments, which included an awaited decision by the International Court of Justice on the so-called Odendaal Report, through which the South African Government planned to establish ten non-White homelands and closer links with South Africa in Namibia (or South West Africa).¹⁴ The Department of State viewed the pending decision of the International Court of Justice as a rather serious matter, because, if South Africa should refuse to accept the Court decision, the United States would be in serious conflict with South Africa over the integrity of the World Court. The United States felt that it rather had to give its full support to the World Court

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13. Lyndon B. Johnson Library, National Security Files, Country File, Box 78, File: Memo's and Miscellaneous, Volume I, *Memorandum*: B. Brubeck to M. Bundy, 1964-04-16.
 14. South West Africa was given to South Africa as a mandate by the League of Nations after the First World War. South Africa in later years refused to withdraw from the area for a number of reasons, and was said to have illegally occupied the area. An investigation of the area was launched by the South African Government under the chairmanship of Mr. F.H. Odendaal in September 1962, and the outcome of the report generally became known as the Odendaal Report. In the report, a five-year plan was drafted for the acceleration of the development of Non-Whites in South West Africa by dividing the country into homelands for each of the different ethnic groups. The idea was for each group to govern itself through their own Legislative Councils and Executive Committees. (Keesing's Contemporary Archives, 9 - 16 May 1964, pp. 2054). Most of the United Nations members were not satisfied with these proposals, and the matter was referred to the International Court of Justice.

instead of South Africa.¹⁵

Concerning the space and military tracking facilities in South Africa, the State Department recommended that the National Aeronautics and Space Administration (NASA) and the United States Department of Defence had to immediately undertake planning for the construction of alternative stand-by facilities as would be required if it should become necessary to evacuate the facilities in South Africa on six months' notice, especially because of the serious crisis that they feared could develop after the decision of the International Court of Justice on the Namibia issue. The Department of Defence had to immediately determine the political acceptability of other countries which were suitable for space and military tracking requirements. This whole process had to be carried out in such a manner that the becoming public notice there-of could be avoided for as long as possible. The Department of Defence adhered to this recommendation and immediately started to identify alternative tracking sites in Madagascar, Spain and Ascension Island.¹⁶

In June 1964, the Johnson Administration faced the problem of a South African request for helicopter firing heads and the continued training of South African army officers in the United States. Mennen Williams, the United States Under Secretary of State for African Affairs, addressed this problem in a letter to Johnson. According to Williams, a helicopter is a potent military and police vehicle, and he stated that it had been used by special military units in South Africa for the purpose of controlling the South African population. He said that under the existing United States arms embargo policy, no more helicopters were to be sold to South Africa, and thus the United States was also under no obligation to sell firing heads to South Africa. Williams felt that if an exception was made on the reasoning that the firing heads were safety devices, it would constitute a variation in the existing United States policy and open the door to all kinds of requests

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15. Lyndon B. Johnson Library, National Security Files, Country File, Box 78; Africa, Union of South, File: Memo's and Miscellaneous, Volume I: *National Security Action Memorandum*, 1964-04-24; Lyndon B. Johnson Library, National Security Files, Country File, Box 78; Africa, Union of South, File: Memo's and Miscellaneous, Volume I: *Memorandum*: W.H. Brubeck to President Johnson, 1964-07-29.
16. Lyndon B. Johnson Library, National Security Files, Country File, Box 78; Africa, Union of South, File: Memo's and Miscellaneous, Volume I: *National Security Action Memorandum*, 1964-04-24; Lyndon B. Johnson Library, National Security Files, Country File, Box 78; Africa, Union of South, File: Memo's and Miscellaneous, Volume I: *Memorandum*: W.H. Brubeck to President Johnson, 1964-07-29; Lyndon B. Johnson Library, National Security Files, Country File, Box 78; Africa, Union of South, File: Memo's and Miscellaneous, Volume 1: *Status Report on NSAM No. 295*, 1964-07-30.

for other exceptions on the rule. On the issue of the training of army officials, Williams said that there was no specific policy, although the United States for a considerable period had cut back cooperation with the South African military forces. According to Williams, the main problem was where to draw the line. The sale of military vehicles and arms was banned, but no specific policy existed on training in the use of such items. Thus, Williams felt that such training would be wholly inconsistent with the over-all United States arms embargo policy, and would do damage to its credibility. Williams' pleas however landed on deaf ears. In July 1964, the United States Department of State declared that the existing arms embargo policy had been adhered to by the United States, and that South Africa had not initiated any official requests for arms or military equipment during the first half of 1964. It was decided that the sale of a hundred helicopter firing heads could be approved, because it was safety devices and not weapons.¹⁷

Another issue that surfaced, in November 1964, involved a request from the Lockheed aircraft company for the sale to South Africa of sixteen anti-submarine P3-A aircraft. South Africa expressed a desire to procure these aircraft already in April 1964 for the purpose of replacing its ageing anti-submarine squadron of Shackletons. Seen in the light that South Africa had the international obligation of patrolling the vital sea lanes around the Cape and also had the responsibility of providing air and sea rescue services over the Indian Ocean under the authority of the United Nations International Civil Aviation Organization (ICAO), the replacement of the Shackletons was viewed as rather important by the South African Government. As a matter of fact, the latter made it clear that if the United States was not willing to make the sale, they would go for a French Bruquet Atlantique anti-submarine aircraft. Nonetheless, the South African Defence Force emphasized that they would prefer United States equipment because of standardization with the United States military forces in the event of a global war. The proposed sale was favoured by both the United States Departments of Commerce and Defence, as well as the United States Treasury, and by the United States Secretary of State, Dean Rusk, but in the end, Johnson did not approve of it, mainly because of some alternatives recommended in a memorandum from the Special Assistant to the President, McGeorge

17. National Archives Washington, D.C., Box 12: Signature and Clearance File, 1961 - 1966, *Letter*: G. Mennen Williams to President Johnson, 1964-06-24; Lyndon B. Johnson Library, National Security Files, Country File, Box 78: Africa: Union of South, File: Memo's and Miscellaneous, Volume 1: *Status Report on NSAM no. 295*, 1964-07-30.

Bundy. Bundy recommended that the problem be deferred due to some complexities involved. On the one hand, approval of the sale would have benefited Lockheed and its employees. On the other hand, liberal and Negro groups, as well as some newspapers, would have criticized the sale as counter-productive to the arms embargo policy. Thus, Lockheed had to be informed that the United States Government was not prepared to give a favourable answer at that stage; the Departments of State and Defence had to find ways of holding the South African option open without comment, and, the next few months had to be used to re-examine the South African policy problem. But the issue was still not resolved. After being informed of the United States decision to defer the sale, the South African Government turned to France with requests for the sale of the Atlantic 1150 marine patrol aircraft. This aircraft was developed jointly by the United States, France, Belgium, West Germany and the Netherlands, under the umbrella of NATO. The United States however vetoed the sale in July 1965 through NATO in accordance with its arms embargo policy against South Africa. The reason: Most of the aircraft's electronic equipment came from the United States.¹⁸

In January 1966, the United States Department of Commerce's Bureau of International Commerce, acting on the direction of the Secretary of Commerce, authorized denial action against the sale of civilian aircraft to South Africa when either direct or indirect military use there-of was apparent and when the United States Departments of State, Commerce and Defence concurred. In addition, the denial of the following exports to South Africa was also authorized: airborne electrical and electronic instruments and certain Teflon items especially fabricated for aircraft propellers, engines, landing gear and aircraft. In accordance to this policy, the Johnson Administration denied the sale of three French civilian jets, known as Mystère 20 jets, to South Africa in September 1966. These jets could carry eight to eighteen passengers, and were intended for carrying members of the South African Government and high officials. The United States vetoed the sale on the grounds that the jets were powered by United States General Electric engines - a decision that elicited some genuine surprise in French aviation circles, as the

18. Lyndon B. Johnson Library, National Security Files, Country File, Box 78: Africa: Union of South, File: Memo's and Miscellaneous, Volume 1, *Memorandum*: Background - South African P-3 requirement, 1964-11-09; Lyndon B. Johnson Library, National Security Files, Country File, Box 78: Africa: Union of South, File: Memo's and Miscellaneous, Volume 1: *Memorandum*: McGeorge Bundy to President Johnson, Undated; Lyndon B. Johnson Library, National Security Files, Country File, Box 78: Africa: Union of South, File: Memo's and Miscellaneous, Volume 1: *Memorandum for the Record*, 1964-11-30; T.J. Noer, *Cold War and Black Liberation*, p. 162; *New York Times*, The, 1965-07-14, U.S. said to veto patrol-plane sales to South Africans, p. 10.

jets were regarded as purely civilian.¹⁹

5.3 THE UNITED STATES-AFRICAN RELATIONS HEARING OF MARCH 1966

In March 1966, hearings were held by the United States Congress' House of Representatives Subcommittee on Africa on the issue of United States-African relations. A big part of these hearings involved the United States foreign policy with regard to South Africa. Mennen Williams was one of the government officials that had been asked to testify. He stated in his introductory speech that as concrete evidence of the United States' abhorrence of apartheid and its determination not to contribute to the enforcement there-of, no arms, ammunition and military equipment or materials for the manufacture and maintenance there-of, were being sold to South Africa.²⁰

During questioning, the statement was made that the policy of the Johnson Administration with regard to South Africa, appeared to be nothing but lip service. Charles Diggs Junior, an African-American Congressman and staunch critic of South Africa, took up this lead and stated that he was particularly concerned about no change in the United States policy with regard to South Africa, although the situation in South Africa was worsening. Williams answered that he thought that a statement like that was a little too strong, especially in the view of the arms embargo that had been a concrete step taken in the direction of a change in policy. Diggs answered back in saying that the United States banking interests in South Africa constituted a considerable amount, and that nothing was hindering the South African Government from loaning United States money for the purpose of purchasing arms. Williams' reply to this was that he didn't think that there was any real problem on the part of the South African Government of having the funds with which they purchased the arms that they used, and that he wasn't aware of any South African loans from the United States for the purchasing of arms.²¹

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19. Armscor Archives, File 1/17/6/1, Volume 4: 1979 - 1988, Division: Top Management: Foreign Affairs and Organization, pp. 41 - 42: **Presentation:** Prepared for an Institute of Policy Studies-Carnegie Endowment for International Peace Conference on Conventional Arms Trade, undated; *New York Times*, The, 1966-09-01, U.S. bars jet sale to South Africa, p. 3; D. Prinsloo, *United States Foreign Policy and the Republic of South Africa*, p. 59.
20. A.M. Schlesinger, Jr (Ed.), *The Dynamics of World Power: A documentary history of United States foreign policy, 1945 - 1973*, Volume V, p. 984.
21. *Ibid.*, pp. 987 - 988.

Alexander Trowbridge²² from the United States Department of Commerce, was next in line for questioning. He was being questioned by Diggs on the issue of machinery that could or could not be used for the manufacturing of arms or anything pertaining there-to. Diggs' argument was that the same criteria that applied to aircraft, namely that no aircraft that could be used for both civilian and military use was to be exported, had to apply to machinery as well, because there was nothing preventing the South African Government from getting the machinery and manufacture arms themselves. Trowbridge couldn't agree with this reasoning. He argued that the final use of aircraft to the extent that it was identified as being of military use, was different to the normal commercial exports to a commercial private buyer in South Africa. He emphasized that machinery used primarily for the production of arms, was included in the material covered by the arms embargo. Diggs was however not entirely satisfied with Trowbridge's answer, and went on prompting Trowbridge to actually admit that the United States Government was not carrying out the arms embargo to its fullest extent because no regulations existed on machinery that could be converted for use in the manufacture of arms. Trowbridge answered by saying that in such a broad category as machinery, there would always be some problems. For example, a machine that turned out textiles, could be used to make army uniforms. But machinery used directly in the production of arms or other military support weapons, would not be exported.²³ Diggs' reaction to this was:

*"Under those circumstances it isn't actually fair to say that we are carrying out to the fullest extent the arms ban to which we have been a party and because obviously there are ways of circumventing that according to your response ..."*²⁴

William Lang, Deputy Assistant Secretary of Defence for the African Region testified about the strategic significance of South Africa's geographic position and value to the United States in terms of ports and other facilities. He discussed the importance of South Africa's location athwart the approaches to both the Indian and Atlantic Oceans and the potential value of the country in a combined war effort. He furthermore noted that South Africa had the only harbours in Africa south of the Sahara where major naval vessels

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22. He became Secretary of Commerce in 1967, and held the position for the remainder of the Johnson Administration.
23. A.M. Schlesinger, Jr (ed.), *The Dynamics of World Power: A documentary history of United States foreign policy, 1945 - 1973*, Volume V, p. 1013.
24. As quoted in A.M. Schlesinger, Jr (ed.), *The Dynamics of World Power: A documentary history of United States foreign policy, 1945 - 1973*, VolumeV, p. 1013.

could fuel, dock and undergo repair. The old argument of the importance of the South African facilities in case of the Suez Canal being closed in wartime, was also once again brought up. Lang however stressed that regardless of any requirement that the United States might have regarding South African docking, harbouring and other facilities, basic United States national principles had never been compromised for the sake of these facilities. Thus, South Africa was not essential to the strategic interests and military security of the United States.²⁵

5.4 BEHIND THE SCENES - EFFECTIVE IMPLEMENTATION OR NOT?

The above-mentioned hearing could have been of great importance in mounting public opinion against the Johnson Administration if it was based on sound evidence, which was not the case. It was merely based on speculation from the side of a few individual anti-South African critics, like Charles Diggs Junior. Indeed, the hearing did not even receive any mention in daily newspapers, which indicates that it was not really a matter of great importance to the United States general public. However, Diggs and some others continuously accused the Johnson Administration of quietly and effectively ignoring the arms embargo behind the official smokescreen of proclaiming that it was adhering to it. Also, the Soviet Union and some African states from their side continually stated that the United States was supplying arms to South Africa in defiance not only of its own ban, but also the United Nations arms ban against South Africa that the United States adhered to. This included an allegation that the United States was using NATO for that purpose. Other allegations included covert deliveries to South Africa from the United States of aircraft, helicopters, self-propelled guns and armoured cars, which were provided through the huge legal loophole in that the Executive Order issued by Kennedy did not cover the sale of grey area equipment or support systems. Some examples of sales like this included: civilian aircraft that were sold to the South African Air Force by United States corporations with the approval of the United States Department of Commerce as well as civilian aircraft that were sold to private citizens who were members of the Air Commandoes, a para-military extension of the South African Air Force. The most popular of these aircraft was a small, executive style aircraft manufactured by Cessna

25. A.M. Schlesinger, Jr (ed.), *The Dynamics of World Power: A documentary history of United States foreign policy, 1945 - 1973*, Volume V, p. 1014.

Corporation which was ideal for counter-guerilla surveillance or reconnaissance. In the case of acknowledged military equipment, a more direct route was allegedly found, namely the development of a triangular trade route through which a European-based company that was producing United States weapons under license, was selling it to South Africa either directly or indirectly through a dealer.²⁶

The Johnson Administration of course denied all the allegations that it was circumventing the arms embargo. As a matter of fact, it does seem as if they really followed a strict interpretation of the embargo, in the light of investigations that were launched and instances where the sale of military items to South Africa were specifically refused. A particular point of concern for the Johnson Administration was the way in which South Africa reacted to the embargo - by still procuring large quantities of modern and sophisticated weapons, as well as the considerable progress that the country was making in developing a local arms-manufacturing capability. The South African Minister of Defence, Jim Fouché, as early as May 1964 had already declared that it would be an eye-opener to outside countries to see what arms were being manufactured in South Africa. In June 1964, the South African Government disclosed that it was building airfields for fighters and bombers in various parts of South Africa. Three munitions factories were also being built at the same time. These efforts were regarded as another development by South Africa to create the strongest military force in Africa south of the Sahara Desert, but also to give the South African Government a bigger fist in order to prevent an internal uprising by the black majority of the country. All these developments were followed in November 1964 by a warning to the United States from the South African Prime Minister, Hendrik Verwoerd, that embargoes and boycotts would never succeed in making South Africa abandon its racial policy of apartheid, simply because it was a matter of life and death for the white South Africans.²⁷ Verwoerd reasoned as

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26. Statement by Ambassador Goldberg on United States implementation of U.N. embargo on arms to South Africa, 1967-12-16 in A.M. Schlesinger, Jr (ed.), *The Dynamics of World Power: A documentary history of United States foreign policy, 1945 - 1973*, Volume V, pp. 1048 - 1049; *New York Times*, The, 1965-05-29, U.S. denies Soviet charges that it arms South Africa, p. 2; J. Nessen, The US - Still arming apartheid, *Southern Africa*, November 1978, p.4.
27. Lyndon B. Johnson Library, National Security Files, Country File, Box 78: Africa, Union of South, File: Memo's and Miscellaneous, Volume II: *Memorandum*: Some implications on Economic sanctions against South Africa, June 1966; Statement by Ambassador Goldberg on United States implementation of U.N. embargo on arms to South Africa, 1967-12-16 in A.M. Schlesinger, Jr (ed.), *The Dynamics of World Power: A documentary history of United States foreign policy, 1945 - 1973*, Volume V, p. 1049; *New York Times*, The, 1964-05-31, South Africa self-sufficient on some arms, Aide says, p. 25; *New York Times*, The, 1964-06-04, Airfields built by South Africa, p. 11; *New York Times*, The, 1964-11-22, Apartheid stays, Verwoerd vows, p. 2.

follows:

*"It is not because we are not a decent people. It is merely that no nation can be expected to commit suicide".*²⁸

In 1967, the military relations between the United States and South Africa further deteriorated. Up to then, Johnson had retained a limited military attaché structure in South Africa. But formal military contact on a large scale ended with a politically embarrassing episode for the Johnson Administration in February 1967. This was the so-called *Roosevelt* incident. Although United States navy ships had refrained from calling at South African ports since 1965, the *USS Franklin D Roosevelt* aircraft carrier was returning from Vietnam and planned to refuel at Cape Town in February 1967. Some South African Government members protested against the granting of shore leave to members of the ship's crew, and this leave was consequently cancelled by the United States naval authorities. The incident led to a United States decision to avoid the use of South African ports by its military vessels, except in the case of an emergency.²⁹

In January 1968, the United States Under-Secretary of State for African Affairs issued a subsequent classified memorandum in which the grey area regulations was expanded to include United States products manufactured in other countries. Under these new regulations, such countries were prohibited from selling any United States products to South Africa if the components or final product consisted of arms, ammunition or any other item of a weapons nature. At the same time, the evaluation team that had to decide on the export of grey area goods to South Africa, was expanded to include personnel from the United States Office of East-West Trade in the Economic Bureau and the Secretary of Defence's Office of International Security Affairs. The United States Department of Commerce as well as the Arms Control Disarmament Agency were however still not included.³⁰

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28. As quoted in *New York Times*, The, 1964-11-22, Apartheid stays, Verwoerd vows, p. 2.
29. D. Prinsloo, *United States Foreign Policy and the Republic of South Africa*, p. 61; S.K. Metz, *The anti-apartheid movement and the formulation of American policy toward South Africa, 1969 - 1981*, pp. 115 - 116; R.E. Bissell, *South Africa and the United States - The erosion of an influence relationship*, p. 54.
30. Armscor Archives, File 1/17/6/1, Volume 4: 1979 - 1988, Division: Top Management: Foreign Affairs and Organizations, pp. 10 - 11: *Presentation*, undated; S. Gervasi, *The United States and the arms embargo against South Africa: Evidence, denial and refutation*, p. 25; W.A. Lewis, U.S. arms embargo against South Africa, *Department of State Bulletin* 77(1993), 1977-09-05, p. 321.

5.5 CONCLUSION

Lyndon B. Johnson faced a difficult task when he succeeded Kennedy after the latter's assassination in November 1963. Being Kennedy's Vice President, he inherited all the difficulties of the Kennedy Administration, especially with regard to the demands of the Afro-Asian nations in the United Nations. During his presidency, these Afro-Asian nations succeeded in strengthening the arms embargo that was instituted by the United Nations. Johnson supported this resolution, and succeeded in laying down some guidelines on how the United States should implement the arms embargo. Even in the case of the very difficult grey area, he laid down some strict measures. This he did while he had to keep up with both internal and external demands on how he should handle the implementation of the arms embargo. Some were in favour of limited military support to South Africa, while others, like Mennen Williams and the Afro-Asian nations, did their utmost to implement stronger measures against South Africa, claiming that the proclaimed policy of the United States Government was nothing more than lip service. Even in his own government, Johnson had to deal with the opposing camps on the matter. The one side firmly held on to the strategic importance of South Africa, while the other side felt that even *that* was not a good enough reason to relax the arms embargo against South Africa, as it would then simply be an action of closing the eyes to the hazards of the apartheid policy. And then there were the South Africans, who maintained an ignorant stance on the whole issue of the arms embargo and kept on trying to find new ways of getting United States military equipment. Taking all this into consideration, one can say that Johnson did rather well in his implementation of the arms embargo. He maintained a strict observation of the arms embargo throughout his administration, and even politically survived a Congressional hearing, where no substantial evidence could be provided to prove any non-compliance with the embargo.

CHAPTER 6

THE NIXON ADMINISTRATION'S IMPLEMENTATION OF THE ARMS EMBARGO, 1969 TO 1974

6.1 INTRODUCTION

Richard Nixon became president of the United States in January 1969. In his first year as president, he requested a comprehensive review of the United States policy with regard to Southern Africa. The outcome of this review was called the National Security Memorandum 39 (NSSM 39), also known in government circles as the "Tar Baby" document. It constituted a noticeable change in the United States policy towards South Africa, and laid out the foundations of the United States policy towards South Africa along the lines of securing direct contact and dialogue with the South African Government. In general, a policy was outlined which favoured the maintenance of the status quo in Southern Africa for as long as possible. Some of the main assumptions on which the recommendations of the study rested, included the retaining of white power in South Africa for a considerable period of time, the curtailing of internal or external African opposition to the South African Government by way of the latter's military power, and the granting of independence to Namibia by South Africa. Indeed, one of the options set out in the memorandum was the following premise:

"the whites [are] here to stay and the only way that constructive change can come is through them. There is no hope for the blacks to gain the political rights they seek through violence, which will only lead to chaos and increased opportunities for the communists".¹

Simultaneously however with the compilation of the NSSM 39, the Nixon Administration also publicly declared its opposition to apartheid, and stated that as a concrete demonstration of that, no arms, ammunition, military vehicles or equipment and material that could be used for the maintenance there-of, were being sent to South Africa.²

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1. As quoted in P. Rich, United States containment policy, South Africa and the apartheid dilemma, *Review of International Studies* 14, p. 184.
 2. M.T. Klare & E. Prokosch, Evading the embargo: How the U.S. arms South African and Rhodesia in WMACAS, *U.S. military involvement in Southern Africa*, p. 160; D. Prinsloo, *United States Foreign Policy and the Republic of South Africa*, p. 49; J.S. Cooper, U.S. restates policy on Apartheid in South Africa in U.N. Committee, *Department of State Bulletin* 59(1536), 1968-12-02, p. 582.

The Nixon Administration at first continued with the patterns of the implementation of the arms embargo that had been established by the previous Administrations of Johnson and Kennedy. However, this was due to change from about 1969 for a number of reasons. The Southern Africa region gradually started to move into a period of profound crisis which was marked by industrial unrest, the fall of Portuguese colonial rule in Angola and Mozambique (leaving South Africa as the only country with a white government in Africa), and mounting racial unrest in South Africa itself. The result was that while the United States and other countries wanted a peaceful solution to South Africa's racial problems, the latter's white Afrikaner government became more and more engaged in a military build-up. This Afrikaner government was not prepared to take any chances with internal uprising in South Africa, and thus it started equipping itself militarily in such a way that it could be able to easily suppress the smallest signs of internal uprising as well as all possible contingencies, at least in the immediate geographical region of Southern Africa.³

The South African military build-up was one of the most significant results of the arms embargo, whether the United States wanted to believe it or not. Through the establishment of the Armaments Corporation of South Africa (ARMSCOR) in 1968, the South African Government launched a programme through which it planned to independently manufacture military equipment like napalm, anti-tank mines, landmines, mortars, rifles, automatic rifles, grenades, smoke-bombs, aerial bombs and explosives - all equipment that was easily available from the United States before the arms embargo. Plans were also underway for the manufacturing of tanks, pantzer cars and missiles. A troublesome factor for many United States citizens was that the South African Government was even prepared to use United States enterprises in South Africa, like General Motors, the Ford Motor Company, Union Carbide and the Polaroid Corporation, for this purpose.⁴ The closing down of these companies in South Africa would indirectly have meant that economic sanctions were being instituted against that country - something that Nixon, just like Kennedy and Johnson, was not prepared to do.

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3. J. Nessen, The US - Still arming apartheid, *Southern Africa*, November 1978, p. 5; A.M Schlesinger, Jr (ed), *The Dynamics of World Power: Documentary history of United States foreign policy, 1945 - 1973*, Volume V, p. 969.
 4. A. Hughes, Arms and South Africa, *Africa Contemporary Record* 3, 1970 - 1971, p. A6.

6.2 PRESSURE FOR A CHANGE IN POLICY

In April 1969, it was suggested in a White House Staff memorandum to Nixon that the United States should quietly drop its arms embargo against South Africa and instead turn to a creative and viable plan based on the cooperative efforts of the new independent black states of Southern Africa aided by the technological guidance of South Africa and financed by a regional consortium with minor participation from the side of the United States. Part of the motivation behind the recommendation was the military ability of South Africa to resist any external or internal unrest in both South Africa and South West Africa. Another part of the motivation consisted of the old argument of the strategic importance of South Africa to the United States. South Africa controlled most of the harbours and ports in Southern Africa, and, in time of war, the naval base at Simonstown was of utmost importance. However, by way of the arms embargo against South Africa, the United States was doing its best to alienate a friendly and cooperative nation.⁵

It seems as if Nixon was more open than his predecessors to recommendations like the above-mentioned. In January 1970, almost immediately after the completion of the NSSM 39 study, Nixon accepted the recommendation that his administration should continue to enforce the arms embargo against South Africa, but with liberal treatment of equipment that could be used for either civilian or military use. Some evidence suggests that his administration did indeed substantially relax the arms embargo. For example, the United States Central Intelligence Agency (CIA), played a direct role in the establishment of the South African Bureau of State Security (BOSS), an intelligence agency, in 1969. Other evidence suggests that the Nixon Administration made new items available in the grey area that had been banned under Johnson's regulations. This included the sale of French Mystère jetliners equipped with United States General Electric engines that Johnson had vetoed in 1966.⁶ Lastly there was the willingness from the side of the Nixon Administration to consider a special military relationship between South Africa and NATO. Naturally, this led to occasions where the Nixon Administration had to put up with accusations that it was providing arms to the South African Government. In January 1970, the Zambian president, Kenneth Kaunda, declared that the United

5. National Archives Washington, D.C., Nixon Presidential Material (NPM), White House Central Files (WHCF), Security Files, Box 65, File [EX] CO 135: South Africa, Republic of, 1969 - 1970: *Memorandum*, 1969-04-30.

6. See discussion under 5.3.

States, among others, was arming the South African Government "to its teeth"⁷, so to speak, in order to enable it to strike down on the black South African liberation movements. This accusation was followed a few days later by a United States-Soviet Union flare-up in the United Nations Security Council in which the two countries accused one another of slander. This followed after the Soviet delegate, Yakov Malik, named the United States as one of the countries supplying the South African Government with arms. The United States deputy chief delegate, Christopher Phillips, in answer accused Malik of indulging in propaganda and slander, and declared that the United States had lived up to the arms embargo since it was adopted in 1963, except for the carrying out of orders that had already been on the books at that time.⁸

In February 1970, an inter-office communication document was being released on request of Charles Gates Junior, the president of The Gates Rubber Company, on the topic of an imminent sale of Learjets to the South African Air Force. This document provided some interesting information on how the private United States companies viewed the arms embargo, and indicated that the leniency that Nixon had started to show towards grey area sales to South African, was not yet publicly known. It was clearly stated that there was a United Nations arms embargo in place against South Africa, supported by the United States, and that no change was expected in the shipment of arms to the military forces of South Africa. The resolution was adopted by a number of countries, but the interpretation there-of was widely different especially with regard to grey area transport equipment. For example, the United States interpretation considered all aircraft as military equipment and, therefore, the United States Government had, since the arms embargo came into effect, refused the licensing of the sale of any aircraft made in the United States to the South African Air Force. In comparison, other states like Britain, France, Germany and Italy viewed non-combat transport planes as not being military and, consequently, had sold such aircraft to the South African military forces, although each of these countries also adhered to the United Nations arms embargo against South Africa. The Gates Learjet International Sales

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7. As quoted in *New York Times*, The, 1970-01-27, Zambia leader accuses West of arming South Africa, p. 31.
 8. D. Prinsloo, *United States Foreign Policy and the Republic of South Africa*, p. 60; S.K. Metz, *The anti-apartheid movement and the formulation of American policy toward South Africa*, p. 116; S. Dajani, Israel and South Africa: The U.S. connection, *American-Arab Affairs* 24, Spring 1987, p. 75; J.R. Hollingsworth, The U.S. should cut loose, *Nation* 212(3), 1971-03-29, p. 393; *New York Times*, The, 1970-01-27, Zambia leader accuses West of arming South Africa, p. 31; *New York Times*, The, 1970-01-31, U.N. vote condemns South African role in South West Africa, p. 2.

Manager, who compiled the inter-office communique, felt that this policy of the United States Government deprived United States aircraft manufacturers of a chance to compete for the lucrative market of aircraft sales to the South African Government. Therefore, a recommendation was being made to try and lift the ban on aircraft sales to South Africa, as much was at stake for the company. The South African Air Force was at that stage in the process of considering the purchase of a quantity of different transport type aircraft, but, unless they had definite assurance that the Nixon Administration was lifting the ban on the sale of transport equipment to the South African military, they would not apply again for an export license.⁹

On 27 February 1970, the Gates Learjet office addressed a letter to the United States Secretary of State, William Rogers, in which they set out the proposed sale of transport aircraft to the South African Government and the fact that the sale would mean business in excess of \$10 million. They did not question the validity of the arms embargo resolution, but seriously questioned its interpretation as to non-combat, civilian transport equipment purchased by the South African military forces. They further stated that although the South African Air Force had indicated that they would prefer United States aircraft and spare parts because they regarded it as superior, they would set out to get the equipment they wanted from other countries if the United States Government should refuse the sale of such equipment, leaving the United States industries unable to compete for business.¹⁰ Learjet reasoned as follows:

"We find that a United States resolution if interpreted alike by all parties may achieve the political aims of this country. However, the present situation accomplishes nothing - the South African Air Force still gets the transport equipment they require, but the American aircraft industry and the dollar balance of this country are severely penalized".¹¹

The letter from the Learjet office was followed by a letter to the Senate from Charles Gates Junior. In this letter, Gates set out to explain that the Learjet aircraft was strictly

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9. South Africa: The making of United States policy, 1962 - 1989, Microfiche collection: National Security Files, fiche 00386: **Inter-Office Communication**: A. Kvassay to C.C. Gates, Jr., 1970-02-25; fiche 00388: **Letter**: C.C. Gates, Jr., to P.H. Dominick, 1970-03-03.
 10. South Africa: The making of United States policy, 1962 - 1989, Microfiche collection: National Security Files, fiche 00387: **Letter**: M. Harned to W.P. Rogers, 1970-02-27.
 11. As quoted in South Africa: The making of United States policy, 1962 - 1989, Microfiche collection: National Security Files, fiche 00387: **Letter**: M. Harned to W.P. Rogers, 1970-02-27.

a high speed transport type aircraft not suitable for armed combat. To his knowledge, not one single Learjet had gone into the Gates Rubber Company's military inventory. He protested that the United States Department of State had put the United States aircraft industry into a strait jacket posture because of their interpretation of the United Nations arms embargo. On the one hand, there was pressure on the United States industries from the Departments of Commerce and Treasury to assist in the United States balance of payments by stimulating the export of United States manufactured products. But on the other hand, the United States Government was blocking any efforts to this effect by not allowing the sale of purely civilian equipment to South Africa.¹²

Gates' plea was taken up by Senator Peter Dominick, who left no stone unturned in trying to meet the needs that Gates had verbalised. On 17 March 1970, a meeting was held with representatives of the United States Departments of State, Commerce and Treasury as well as representatives from the Gates Rubber Company Learjet's office. At that particular meeting, the representative of the Department of Commerce, Harold Scott, stated that he was initiating a paper asking for a review of the interpretation of the arms embargo by the Department of State, as the Department of Commerce was in favour of making sales of purely civilian type aircraft to the South African military forces. He was supported in his view by the Department of Treasury. From the side of the Department of State, it was stated that they would be willing to initiate a further review of the arms embargo, although the situation that Gates had staged was not new. A number of explosive factors were involved in such a review, such as the impact on the domestic scene with some liberals contending that the sale of grey area goods would enhance the ability of the South African Government to continue with the policy of apartheid. The end of the matter was a decision by the Department of State to permit the aircraft sale, and to authorize in future the sale of foreign made executive type aircraft with United States components to South Africa. However, the United States Government as well as the aircraft companies involved, were asked not to give publicity to the matter, as it would then inevitably get queries from the United States Congress, the press and probably also the African Governments.¹³

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12. South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00388: **Letter:** C.C. Gates, Jr., to P.H. Dominick, 1970-03-03.
13. South Africa: The making of United States policy, 1962 - 1989, microfiche collection, fiche 00389: **Letter:** P.H. Dominick to B. Harlow, 1970-03-18; National Archives Washington, D.C., Nixon Presidential Material (NPM), White House Central Files (WHCF), Security Files, CO, Box 65, File [EX] CO135: South Africa, Republic of, 1969-70, **Memorandum**, 1970-08-19.

On 23 July 1970, the United Nations Security Council approved a tightened arms embargo against South Africa, calling for the embargo to be carried out unconditionally and without any reservations whatsoever. Member states were called upon to prohibit the sale to South Africa of equipment or vehicles for the use of South African military or paramilitary forces, of spare military parts and of patents and licenses for the manufacture of arms, aircraft or naval vessels. It also banned the training of South African military forces or cooperation with such forces by member nations. Interesting, however, is the fact that the United States abstained on the resolution. William Buffum, the United States delegate, stated that although the United States was prepared to support the basic intent of the resolution, for example the expression of total opposition to the policy of apartheid, the text of the resolution was too sweeping to be effective. The main reason that Buffum gave for not supporting the resolution, was that the resolution would be unable to command the wide support in the Security Council that was needed for it to be effective. The United States was concerned that the measures set out in the resolution would serve to divide the Security Council, fail to fulfil its intended purpose, and thus operate to the detriment of both the South African people and members of the United Nations. Nevertheless, Buffum at the same time reaffirmed the United States policy of holding firm to its prohibition against the sale of arms that could be used by the South African Government to enforce its policy of apartheid by repressive means. The only military equipment that was being supplied to South Africa consisted of some spare parts stemming from contracts entered into prior to the implementation of the United States arms embargo against South Africa.¹⁴

6.3 NIXON'S OPEN DOOR POLICY

From about the second half of 1970, a shift in the United States policy towards South Africa became evident. Nixon had decided to move away from a limited association with the white governments of Southern Africa to a broader association. The basic principle of this policy lay in the moderate but clear advancement of Western assistance to the white Southern African governments. This gradually led to a large degree of consistency

14. *New York Times*, The, 1970-07-24, Embargo on arms tightened by U.N, p. 7; W.B. Buffum, United States abstains on Security Council Resolution on South Africa in A.M. Schlesinger, Jr. (Ed.), *The Dynamics of World Power: A documentary history of United States foreign policy, 1945 - 1973*, volume V, pp. 1071 - 1072; *SALVO: Krygkor 20 Armscor*, p. 10.

in the United States' Southern African policy during the Nixon years, in which South Africa played the role of key buttress against communist expansion. For this reason, Nixon paid little attention to criticism of his military policy towards South Africa. In the mind of Nixon, South Africa played an important role in the countering of the Soviet communist threat in the Indian Ocean area as well as in the enhancing of the security of the Cape area. Nixon felt that the Cape sea route was a vital artery for the Western countries and had to be protected, because the Soviet Union was extending its naval forces at a fast rate and already had some influence in the Indian Ocean. Furthermore, supertankers had made the Suez Canal unusable, so the shipping traffic around the Cape was increasing almost daily. Accordingly, a review was undertaken by the United States Naval War College. In this study, all of the old arguments concerning the importance of the Cape sea route was once again reiterated. The study made it clear that the primary problem was a growing instability and violence in several of the Indian Ocean areas. Consequently, the United States had to send forces to the area. Very interesting however, is the fact that the compilers of the review did not view the Soviet Union as the main cause of the instability in the area. But, indeed, in the same breath it was stated that the Soviet forces in the Indian Ocean had to be countered, and the role of South Africa in this was being seen as quite important, because it was the only country in the area that had all the facilities needed for the support of a major Western naval force. It was recommended that the South African fleet be made part of this naval force.¹⁵

Simultaneously with the above-mentioned, Schlesinger assumes that Nixon's policy was being formulated against the backdrop of uninterrupted French sales to South Africa (the French never observed the United Nations arms embargo), and a move from the side of the British Government to resume the sale of arms to South Africa (the British did previously observe the arms embargo). However, in talks held on the matter between the United States Secretary of State, William Rogers, and the British Prime Minister, Edward Heath, Rogers stated that the United States could not go along with the British plans to resume arms sales to South Africa, because of the increased identification of African-

15. S. Gervasi, Under the NATO umbrella, *Africa Report* 21(5), September - October 1976, pp. 14 - 15; S.K. Metz, *The anti-apartheid movement and the formulation of American policy toward South Africa, 1969 - 1971*, p. 118; P. Rich, United States containment policy, South Africa and the apartheid dilemma, *Review of International Studies* 14, 1988, p. 184; D. Prinsloo, *United States Foreign Policy and the Republic of South Africa*, p. 60.

Americans in the United States with African issues.¹⁶

The shift in the United States policy towards South Africa, was especially evident in a speech by the United States Assistant Secretary of State, David Newsom, on 17 September 1970. Newsom clearly laid out the principles of the new policy, emphasizing that the Nixon Administration could readily understand how the policies of apartheid and colonialism generated demands for redress and change. What was important though, was the way in which these changes was to be effected. The Nixon Administration did not believe that violence was the answer - neither from the part of the Africans or the white government of South Africa. For this reason, an arms embargo was instituted against South Africa in 1963, and the United States had voted for United Nations resolutions to that effect and had faithfully observed it since that time. Newsom however then stated that certain problems inevitably arose whenever an embargo had to be implemented. This included borderline cases such as civilian-type items or grey area items. These items had been reviewed on a case-to-case basis since the institution of the embargo. In many cases, the United States Government was urged to make decisions on the basis that other large industrial nations were selling certain types of equipment to South Africa. For this reason, the Nixon Administration had decided to consider licenses for limited numbers of small, unarmed executive-type aircraft which could not strengthen South Africa's military or internal security capacity. Furthermore, grey area items that were used predominantly by military forces, but did not have a clear and direct application to combat or internal security matters, would be licensed for civilian use and on a case-to-case basis for military buyers. Items that had a clear and direct application to combat and internal security operations, would not be licensed for military buyers, although civilian licenses could be granted on a case-by-case basis. Nonetheless, Newsom reiterated that the United States would otherwise still give its full support to the arms embargo.¹⁷

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16. A.M. Schlesinger, Jr. (Ed), *The Dynamics of World Power: A documentary history of United States foreign policy, 1945 - 1973*, Volume V, p. 969; *New York Times*, The, 1970-07-13, Rogers informs Heath of U.S. policy in Africa, p. 4.
17. D. Newsom, Speech on the U.N., the United States and Africa in A.M. Schlesinger, Jr. (Ed), *The Dynamics of World Power: A documentary history of United States foreign policy, 1945 - 1973*, Volume V, pp. 945 - 946; S. Gervasi, *The United States and the arms embargo against South Africa: Evidence, Denial and Refutation*, p. 26; Armscor Archive, File 1/17/6/1, Volume 4: 1979 - 1988, Division: Top Management: Foreign Affairs and Organization, pp. 42 - 43; *Presentation*: Prepared for an Institute of Policy Studies - Carnegie Endowment for International Peace Conference on Conventional Arms Trade, undated.

The reaction to Newsom's statement was almost immediate. In a telegram to Nixon, dated 18 September 1970, Congressman Charles Diggs Junior complained against the steps announced by Newsom, as he saw it as a relaxation of the arms embargo. In response to this allegation, Nixon's special assistant stated that it was clear from Diggs' telegram that some confusion existed concerning the arms embargo policy. He said that there had not been a relaxation of the United States arms embargo against South Africa, nor was any consideration given to it at any time. Although Newsom was correct in stating that licenses would be considered for the sale of a limited number of a certain type of executive civilian aircraft to South Africa, it did not mean a relaxation of the arms embargo. The sale of these aircraft had been a subject of a very careful review, in which it was found that they simply could not be adapted for any effective military or internal security use. They were too fast for patrol work, too small for the transport of troops and too vulnerable to operate in a hostile environment. Furthermore, several applications for very substantial purchases of military aircraft to South Africa were turned down, as well as a license to sell a number of civilian aircraft that were adaptable for use by military or police forces.¹⁸

In December 1970, Newsom presented a speech on United States options in Southern Africa, and stated as an introduction that the United States was involved in the problem of Southern Africa, whether they liked it or not. He said that more and more of the United States citizens, both black and white, shared the feelings of those in the Third world against the practices of racial discrimination that was the order of the day in Southern Africa. Thus, the United States had some options on how to handle the problem. Firstly, there was the option of acceptance - South Africa had problems of its own, and the United States had problems of its own. Therefore, the United States should not meddle in South Africa's problems. Secondly was the option of liberation, which called for the support of liberation movements directed against the white minority regime in South Africa. This, however, was a road of violence. A third option was one of isolation, which in essence meant the institution of sanctions against South Africa. None of these options suited the Nixon Administration, and thus a fourth option, namely open communication, was favoured. According to Newsom, communication did not mean

18. National Archives Washington, D.C., Nixon Presidential Materials (NPM), White House Central Files (WHCF), Security Files, CO, Box 66, file [EX] CO135: South Africa, Republic of 1/1/73, **Letter:** White House to C.C. Diggs, Jr., 1970-10-14.

acceptance, but was in a sense a greater challenge than isolation. It also did not mean departing from the arms embargo, but it did mean that each side in South Africa would be better able to know what the other side was talking about.¹⁹

Another basic principle of Nixon's open door policy, or the Nixon Doctrine as it was also known, focused on three primary needs that the Nixon Administration felt they could contribute to. According to a report by Nixon to the United States Congress in February 1971, Africa sought peace, economic development and justice. Nixon felt that it was in the interest of the United States to respond to these needs as generously as its resources permitted. Therefore, the United States had reaffirmed and continued to enforce the arms embargo against South Africa as part of its assistance to Africa concerning racial and political justice. This measure was part of defining the United States policy towards the racial problems of South Africa, and Nixon intended to continue with it in order to encourage the white South African Government to adopt more generous and more realistic policies towards the needs and aspirations of its black citizens. In the same breath however, Nixon also emphasized that just as the United States could not condone the violence to human dignity as carried out through the apartheid policy of the South African Government, it could not associate itself with calls by black liberation movements for a violent solution to the problem of apartheid. In the eyes of Nixon, violence would only harden the resistance of the white South African minority Government.²⁰

In spite however of the Nixon Administration's assurances that they were intending to continue with the enforcement of the arms embargo, the reality was evident to something different. The relaxation of measures concerning the sale of grey area goods to South Africa, as was discussed earlier in this chapter, was only one example. Another example was the abstaining of the United States on any United Nations vote concerning a more permanent arms embargo against South Africa. It had happened in July 1970, followed on 16 November 1971 by the United Nations General Assembly Special Political Committee voting for a more rigid arms embargo against South Africa. This resolution

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19. D. Newsom, Address on United States options in Southern Africa in A.M. Schlesinger, Jr. (Ed), *The Dynamics of World Power: A documentary history of United States foreign policy, 1945 - 1973*, Volume V, pp. 946 - 949.
20. National Archives Washington, D.C., NPM, WHCF, Security Files, Speeches, Box 50, folder Ex SP 2-3-8 Foreign Policy Message, Background Material 2-25-71: **Report**: President Richard Nixon to United States Congress, 1971-02-25; South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00404: **Statement**: President Richard Nixon concerning U.S. policy toward South Africa, 1971-02-25.

would have banned all arms for South Africa even for defence against foreign sources and would have allowed private companies in their countries to violate the embargo. Eighty-seven countries to one (Portugal) voted in favour of the resolution, and the United States was among six countries which abstained.²¹

On 29 November 1971, when voting for the final passage of the above-mentioned resolution was due, the United States delegate to the United Nations, Charles Diggs Junior, was instructed to abstain on the resolution. Diggs, a staunch South African critic, was quite agitated with this action and walked out of the General Assembly, leaving a staff person behind to cast the vote. Diggs protested that the reasons furnished by the Nixon Administration for not voting appeared tenuous and inadequate to him. For example, there was a continuous abhorrence of apartheid from the side of the Nixon Administration, but when opportunities emerged where action could take the place of oration, they opposed it. This, in the mind of Diggs, pointed to hypocrisy and an alliance with the oppressive South African Government, strengthened by the relaxation of the United States arms embargo to permit the sale of light aircraft to the South African Air Force. The editor of the *New York Times* backed Diggs in this statement, and declared that Diggs was not alone in finding the Nixon Doctrine hypocritical and disastrous on the long run for the United States. Diggs was indeed the first delegate in the United States history to resign during a session of the United Nations General Assembly, but through that action he had acted on behalf of many United States citizens who had found the increasing unwillingness of the United States Government to back United Nations action against the policy of apartheid, as unacceptable. Nonetheless, despite the stance of the United States, the resolution was accepted by the United Nations General Assembly. It was declared that the arms embargo against South Africa made no distinction between arms for external defence and arms for internal repression. This statement, along with a statement in the resolution that deplored the actions of those governments who have, in contravention to the arms embargo, have provided arms or have allowed companies registered in their countries to provide assistance to the military and police forces in South Africa, can be viewed as an attack on the non-voting stance of the United States on United Nations measures against South Africa.²²

21. *New York Times*, The, 1971-11-16, U.N. unit asks rigid curb on arms for South Africa, p. 9.
22. C.C. Diggs, Jr., My resignation from the United States delegation, *The Black Scholar* 3(6), February 1972, pp. 2, 6; New York Times editorial on Congressman Diggs' resignation from the United States delegation to the U.N. in A.M. Schlesinger, Jr. (Ed), *The Dynamics of World Power: A documentary*

6.4 THE UNITED STATES CONGRESS HEARING OF MARCH/APRIL 1973

During the whole of 1972, the Nixon Administration went on publicly claiming observation of the arms embargo. In a report to the United States Congress in February 1972, Nixon made the statement that he had repeatedly made clear his conviction that the United States could not be indifferent to racial policies which violated the national ideals of the United States and constituted a direct affront to United States citizens. Therefore, the United States could take pride in the measures that had been taken to discourage a military build-up by the minority government of South Africa. This included an arms embargo against the latter country. But, according to Nixon, this step alone could not solve the racial problems of South Africa. Thus, the United States was looking toward black and white in Africa to play a primary role in working towards progress in the abolishment of apartheid. The role that the United States played, together with the arms embargo, involved the encouragement of communication between the different races, while simultaneously making known the United States stand against violence.²³

Nixon was supported in his policy by David Newsom, the Assistant Secretary of State for African Affairs. In a statement made on 28 June 1972, Newsom claimed that by way of strict maintenance to the arms embargo against South Africa, the Nixon Administration had tangibly demonstrated its support either for the imposition of apartheid or for the continuation of colonial rule. Newsom went on to say that although the arms embargo against South Africa sounded like a passive act, it was not. Indeed, it required constant vigilance over shipments to the country. It had meant considerable sacrifice on the part of United States arms exporters who observed sales being made to South Africa by countries less conscientious about the arms embargo. It also meant a continuing effort from the part of the Nixon Administration to explain to these arms exporters the absolute necessity of maintaining the embargo in terms of wider United States interests in Africa. Newsom believed that the arms embargo policy had been effective, and stated that no proof was ever presented that any weapons had gone from the United States to South Africa since the imposition of the arms embargo in 1967. But,

history of United States foreign policy, 1945 - 1973, Volume V, pp. 963 - 964; *SALVO: Krygkor 20 Armscor*, p. 10.

23. National Archives Washington, D.C., NPM, WHCF, Security Files, Speeches, Box 63, folder Ex SP-2-3-36, U.S. foreign policy for the 1970's, 2/16/72: *Report*: Richard Nixon to United States Congress, February 1972.

with this statement, Newsom stepped right into a trap created by those United States citizens who were convinced that there had been violations of the arms embargo. A key United States anti-apartheid pressure group, the Washington Office on Africa, accused the Nixon Administration of violating the arms embargo by selling herbicides to South Africa, including those containing chemicals that were used in the Vietnam war of the 1960's. These herbicides were classified by the United States Government as munitions. This lead was taken up by Charles Diggs Junior, and a hearing on the arms embargo was scheduled for 1973 by the United States Congress Subcommittee on Africa of the Committee on Foreign Affairs.²⁴

The hearing on the implementation of the United States arms embargo against South Africa resumed on 20 March 1973, and it was chaired by Charles Diggs Junior, the chairman of the Subcommittee on Africa. The hearing aimed at covering all the aspects of possible military involvement by the United States with the South African Government, namely sales to the South African military of communication, transport and radar equipment, aircraft, third-party componentry and herbicides, the training of South African military officials directly or indirectly in the United States and the distribution to South Africa of United States Department of Defence films or other films made for the purpose of the military. Diggs stated in his opening message that his committee had found what they considered to be a massive erosion of the arms embargo. Any efforts by the committee to find out exactly what the extent of these erosions was, were however met with resistance from the part of the Nixon Administration. For example, a copy of the guidelines for the implementation of the embargo was requested from the United States Department of State. An official of the Department agreed that such guidelines existed, but said that the Department would not say anything publicly about it. When the Department was consequently asked formally whether any guidelines for the implementation of the embargo existed, they replied that they had to treat the answer to that question as classified. In the light of this, Diggs declared that it should be kept in mind during the hearing that they were dealing with a potentially explosive situation. He saw the Nixon Doctrine of open communication as the cause of the weakening of the arms embargo against South Africa, and stated that it was nothing but

24. South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00425: **Statement** by Assistant Secretary of State for African Affairs David. D. Newsom concerning U.S. policy toward Southern Africa, 1972-06-28; *Rand Daily Mail*, 1972-11-30, Diggs to probe arms violation.

a policy of rescuing the faltering South African minority government from an outraged world-wide public opinion, especially by means of providing them with massive shipments of military equipment and grey area equipment. In Digg's opinion, the major decision to relax the arms embargo came in 1969 after the release of NSSM 39, the memorandum in which the communications policy was first set out.²⁵

Diggs had a variety of witnesses to testify in the hearing, ranging from journalists to government officials. The first witness on stage was Bruce Oudes, a journalist. His testimony served as a good example of the views from the general United States public on the implementation of the arms embargo. Oudes declared that:

*"it was about as easy for an interested member of the United States public to monitor the flow of the Palestine Liberation Organization in and out of Beirut as it [was] to follow the ins and outs of the United States embargo on military exports to South Africa".*²⁶

He said that various spokesmen of the Nixon Administration maintained that the arms embargo was being firmly observed, but well informed sources told otherwise. For example, the guidelines on the arms embargo were revised in 1970, preparing the way for approving sales that would have been rejected by the previous Administrations of Kennedy and Johnson. Oudes said he knew about two types of aircraft that the Nixon Administration was contemplating permitting the sale of. The one was a long-range naval reconnaissance aircraft and the other was an aircraft that was designed for firefighting, but with an excellent capability for conversion into a gunship. If these aircraft were sold to South Africa, it would have meant a relaxation of the arms embargo, for the simple reason that the sale thereof was previously denied by the Johnson Administration. In the view of Oudes, the issue of Soviet aggression in Southern Africa played too big a central role in the decisions that the Nixon Administration made on the arms embargo.²⁷

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25. Western Massachusetts Association of Concerned African Scholars, *U.S. military involvement in Southern Africa*, p. 139; United States Committee on Foreign Affairs, *Implementation of the U.S. arms embargo (Against Portugal and South Africa, and related issues)*, Hearings before the Subcommittee on Africa of the Committee on Foreign Affairs, House of Representatives, 20 and 22 March 1973 and 6 April 1973, pp. 1 - 3.
26. As quoted in United States Congress, *Implementation of the U.S. arms embargo (Against Portugal and South Africa, and related issues)*, Hearings before the Subcommittee on Africa of the Committee on Foreign Affairs, House of Representatives, 20 and 22 March 1973 and 6 April 1973, p. 5.
27. United States Congress, *Implementation of the U.S. arms embargo (Against Portugal and South Africa, and related issues)*, Hearings before the Subcommittee on Africa of the Committee on Foreign Affairs, House of Representatives, 20 and 22 March 1973 and 6 April 1973, pp. 5, 9 - 10.

Rauer Meyer, the Director of the United States Department of Commerce's Office of Export Control, was next in line. He reviewed the Department of Commerce's policy and practice with regard to certain aspects concerning the arms embargo. With respect to United States sales to the South African military forces, a policy was followed where all applications for licenses, including communication, transport and radar equipment, were reviewed in consultation with the United States Department of State. In certain cases, the United States Department of Defence was also approached. The existing licensing policy was to deny export to South Africa of any item that had a direct and clear application to combat or internal security operations. In the light of this, certain licenses for the sale of civilian aircraft, military aircraft, spare parts for military trucks and certain electronic equipment were denied in the past. Spare parts, components, materials or other commodities exported by the United States and used by other countries in the manufacture of military equipment, were also subjected to the export control regulations of the United States. Herbicides were under no validated license control, and the training of South African military officials were not the responsibility of the United States Department of Commerce. With respect to films containing material of an unclassified military nature, Meyer said that they were not subjected to license control to South Africa. Accordingly, United States Department of Defence films could be distributed to South Africa, provided that they contained unclassified information. On the other hand, if they did contain classified material, they were subjected to control by the United States Department of State's Office of Munitions Control.²⁸

The United States Department of Defence was represented at the hearing by James Noyes, the Deputy Assistant Secretary of Defence for Near Eastern, African and South-Asian Affairs. In his statement, it was made clear that the role of the United States Department of Defence in the carrying out of the arms embargo, was one supportive of the United States Department of State, and therefore it was relatively limited. In the case of sales falling under the control of the Department of Defence, it meant that it was items that were commercially available to South Africa, but regulated by the licensing and export controls of the Departments of State and Commerce. The same generally applied to the sale or transfer of military equipment by third countries when a United

28. United States Congress, *Implementation of the U.S. arms embargo (Against Portugal and South Africa, and related issues)*, Hearings before the Subcommittee on Africa of the Committee on Foreign Affairs, House of Representatives, 20 and 22 March 1973 and 6 April 1973, pp. 27 - 28.

States licensing agreement was involved or when any United States componentry included with the item was in itself of a weapons nature or constituted a significant part of that item. Concerning the United States military and space tracking station in South Africa, it was largely used for the support of a United States naval project. It was the terminal station on the United States eastern test range, and therefore it had played a major role in the United States military and space programme in the 1960's.²⁹

In the statements by the representatives of the United States Departments of State and Commerce, repeated referrals were made to the United States Department of State for information and other collateral support for foreign policy guidance. Diggs regarded this as an example of a great unwillingness on the part of all United States Government agencies to admit responsibility for any foreign policy action, including the arms embargo. Therefore, David Newsom himself was asked to testify before the committee. On the outset, he stressed the fact that the arms embargo had been reaffirmed and enforced by the succeeding United States Administrations since the early 1960's, even before it was made official policy in August 1963. Furthermore, the tendency to suggest that major changes in the United States policy with regard to the arms embargo had taken place, could not be substantiated by facts. He felt it pertinent to point out that the arms and equipment that South Africa did receive during that time, were supplied by European countries, and not by the United States. When the United States arms embargo was instituted in 1963, only two exceptions to the general policy that the United States had to honour, were noted, namely the honouring of existing contracts which were already in existence when the policy was made official, and the reservation of the right to interpret the policy in the light of the maintaining of international peace and justice in the case of a global war. To the date of his statement, Newsom said that the United States had not been faced with the necessity of invoking this latter exception. With regard to preexisting contracts, two exceptions had been made, namely the continued supply of spare parts, maintenance information and services for the seven C-130 aircraft that were sold to South Africa prior to the embargo, and two small shipments of equipment to the South African Navy in connection with a sale of torpedoes which also predated the embargo.³⁰

29. United States Congress, *Implementation of the U.S. arms embargo (Against Portugal and South Africa, and related issues)*, Hearings before the Subcommittee on Africa of the Committee on Foreign Affairs, House of Representatives, 20 and 22 March 1973 and 6 April 1973, pp. 86 - 87, 91.

30. *Ibid.* pp. 144, 147.

Newsom further stated that in the enforcement of the arms embargo, the United States did not make distinctions with regard to whether arms were intended for external defence, or for the internal enforcement of apartheid. All sales of military equipment to South Africa were prohibited, and there had been no change in that policy since 1963. There was however the difficult field of grey area equipment, which had led to some affirmative and some negative decisions, but, in sum, these decisions still represented a continuation of the basic and declared policies with regard to the arms embargo. This led Diggs in wanting to know what the United States Department of State's definition of military equipment and grey area equipment was. Newsom answered that everything that was clearly manufactured for a military purpose, even trucks and items that had special kinds of power units and other equipment for use in a rough terrain for military purposes, were regarded as strictly military. Concerning grey area equipment, these included items that were not manufactured with any military purpose in mind, but which could be adapted to be of use during direct military operations. Naturally, it always led to very difficult decisions that the United States Department of State had to make from time to time. In this regard, the United States Government was always being accused of circumventing the arms embargo, especially in the case of decisions made on the sale of light civilian aircraft. The United States adhered to a decision that no light aircraft that could by any standard be adapted to make it usable in direct military operations, would be sold to the South African Government or military forces. Thus, any aircraft that had been sold to it, were purely civilian and of no military use.³¹

If Diggs could claim one positive result from his subcommittee's hearing on the arms embargo, it was that it mounted public interest in the arms embargo more than ever before. Organisations and individuals alike became more determined to prove that the embargo was not effective. Among the results flowing from investigations done by these organizations and individuals, was the fact that several cargo aircraft were supplied to the South African Air Force with the blessing of the Nixon Administration between 1969 and 1975. Although these aircraft were classified as civilian, they indeed had capacities for military use. The sale there-of was approved according to a 1969 secret National Security Council Memorandum, according to which Nixon agreed to provide substantial

31. United States Congress, *Implementation of the U.S. arms embargo (Against Portugal and South Africa, and related issues)*, Hearings before the Subcommittee on Africa of the Committee on Foreign Affairs, House of Representatives, 20 and 22 March 1973 and 6 April 1973, pp. 144, 148, 154.

quantities of support equipment to the South African military. The military use of the aircraft became evident in 1975 during the Angolan civil war, in which South African fighting units participated. In other cases, European countries, like Italy, had sold aircraft of wholly United States design to the South African Air Force, without obtaining licenses from the United States. Still another example, maybe the best one regarding military cooperation with South Africa by the Nixon Administration, was a meeting between top United States Pentagon personnel and key South African officials throughout 1973 and 1974. These South African officials included both the Navy Chief and the Minister of Information, Dr. Connie Mulder. During those two years, the actual provision of United States military-related equipment for South Africa underscored its increased strategic importance, according to Nessen. Several aircraft with the capacity to hold 15 - 20 paratroopers, as well as helicopters of the type that had been used to carry troops in the Vietnam war, were sold to the South African Air Force. Both items were declared as civilian and non-military by the United States Department of State.³²

Shortly after the hearing, the Nixon Administration declared its intention to close down the missile tracking station in South Africa, stating that the use there-of in South Africa was no longer justifiable. The closing of the station was initially planned by the Johnson Administration as part of their implementation of the arms embargo, but it never materialized. Due however to ongoing pressure on the issue, the Nixon Administration again undertook examinations on the requirements of the station, and a continued need of the station was indicated only until September 1975, when the initial agreement with South Africa terminated. It was found that after that, the requirements of such a station could be handled by a station in Madagascar. A meeting was arranged for 10 July 1973 between NASA, the United States acting Assistant Secretary of State, Mr. Ross, and the South African Ambassador to the United States, Pik Botha, to discuss the intention of closing down the station. What was made clear though, was that any discussion with the South African Government on the issue had to emphasize the fact that the closing of the station was dictated by technical programme requirements only. Any implication as to the real consideration behind the decision, namely the arms embargo, had to be avoided. Ironic though, was the fact that South Africa viewed the station as totally irrelevant, and, in the end, the station was not closed. On 14 December

32. J. Nessen, The US - Still arming apartheid, *Southern Africa*, November 1978, pp. 5 - 6; M.T. Klare & E. Prokosch, Getting arms to South Africa, *Nation* 227(2), 8 - 15 July 1989, p. 50.

1973, the United Nations arms embargo against South Africa was extended. All governments who have voted for the embargo in 1963, were requested to refrain from importing any military supplies manufactured by, or in collaboration with, South Africa. The exchange of military attachés with South Africa was also discouraged.³³ Because the United States voted for the resolution in 1963, it was clear that the United Nations expected from it to also adhere to the new regulations - something that must have been difficult for the Nixon Administration in the light of its relaxation of the arms embargo, that also manifested in closer ties with South Africa through NATO.

6.5 NIXON, NATO AND THE ARMS EMBARGO

In 1972, steps were allegedly taken by the United States in the direction of closer military cooperation with South Africa, mainly through NATO. This happened as a result of South African lobbying for the formation of a South Atlantic Treaty Organisation (SATO), in which the need to protect the sea lanes around the Cape and southern Africa as a route for strategic materials to reach the West, was cited. Although the formation of such a treaty organisation was never formalised, South Africa did succeed in establishing links with NATO. Some cited examples of these links were the following: Firstly, the defence planning committee of NATO authorised contingency planning in the Atlantic Ocean for the protection of the Cape sea routes during war and sub-war situations. It was the first time ever that NATO was allowed to draw up contingency planning for operations outside the NATO area. Simultaneously, plans were also made for the establishment of a combined fleet target group in the South Atlantic Ocean. The functioning of such a target group would have been impossible without the use of South African military bases, communication facilities, military airfields and ports. Secondly, the United States established a large naval basis at Diego Garcia in the Indian Ocean. This target group also needed to make use of some facilities of the South African military infrastructure. Thirdly, a sophisticated underground military communication and intelligence complex was constructed at Silvermine near Simonstown in South Africa, with the assistance of the United States. It was known as Project Advokaat. This

33. South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00440: *Telegram*: Secretary of State to United States Embassy, Pretoria, 1973-07-09; S.K Metz, *The anti-apartheid movement and the formulation of United States policy towards South Africa, 1969 - 1981*, pp. 198 - 199; *SALVO: Krygkor 20 Armscor*, p. 11.

complex was essentially a data collection center with sensor hookups for monitoring ship and air traffic in the South Atlantic Ocean. Thus, through the complex, it was possible to keep track of Soviet ship movements into the Indian Ocean from the South Atlantic Ocean - something that was important to the Nixon Administration in the light of the latter's anti-communistic foreign policy approach. And lastly, it was alleged that the United States was planning the establishment of a naval basis on the Transkei coast. The Transkei was one of the homelands established by the South African Government. The alleged decision to build a United States naval base there, was said to have been viewed by many military analysts as a way to gain access to the area of Southern Africa without using the facilities of the South African Government.³⁴ However, this allegation was based on mere speculation, could not be substantiated from official United States sources, and was in fact never built.

In 1974, Admiral H.H. Biermann, the head of the South African Defence Force, visited the United States to attend a conference on the security of NATO's Indian Ocean region. Although the personal nature of his visit was emphasized by both the Nixon Administration and the South African Government, it was seen by anti-South African lobbyists as evidence of the closer military ties between the two countries during the Nixon Administration. Furthermore, also in 1974, NATO undertook a study on the availability of reconnaissance and communications facilities, the intensity of maritime traffic and patterns and the oceanographic situation of the South Atlantic region. The outcome of this study stated that NATO would be unable to protect the sea lanes around Southern Africa without the active assistance of South Africa. This statement had once again lit the fire of Diggs' opposition, and he started some extensive correspondence with the United States Departments of State and Defence on the issue. He didn't have much success though, as, in September 1974, NATO declared that they had secret negotiations with South Africa on the use of the Simonstown Naval Base. By this time however, Nixon had already resigned as United States president.³⁵

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34. R. Leonard, *South Africa at war: White power and the crisis in Southern Africa*, p. 134; S. Gervasi, Under the NATO umbrella, *Africa Report* 21(5), September - October 1976, p. 16; J.P. McWilliams, *Arm Scor: South Africa's arms merchant*, p. 17; S.K. Metz, *The anti-apartheid movement and the formulation of United States policy towards South Africa, 1969 - 1981*, pp. 118 - 119; R.E. Bissell, *South Africa and the United States - The erosion of an influence relationship*, p. 57.
35. S.K. Metz, *The anti-apartheid movement and the formulation of United States policy towards South Africa, 1969 - 1981*, pp. 205 - 207.

6.6 CONCLUSION

When Nixon succeeded Johnson as United States president in November 1968, a new era started in the policy of the United States with regard to South Africa. Through NSSM 39, one can say that a policy was shaped where no policy previously existed. Yes, Kennedy and Johnson verbally opposed the apartheid policy of the South African Government and took some measures against it in the form of the arms embargo, but that is where it ended. They had no formal policy with regard to African issues. Nixon also publicly expressed his concern over the apartheid policy and adherence to the arms embargo, but he went further than his predecessors and put his ideas and policy to paper. That in itself constituted a major policy shift, which also culminated in a relaxation of the arms embargo. Central to Nixon's thinking patterns, was the issue of the foothold that communism was starting to get especially in Africa. Therefore, the strategic importance of South Africa got a tight grip on Nixon's policy decisions. For Nixon, South Africa had to play the role as buffer against the expansion of communism in Southern Africa and the Atlantic Ocean. Therefore, he favoured a policy of broad association, with communication, instead of the traditional limited association of his predecessors.

Although Nixon initially declared his adherence to the arms embargo, he left no stone unturned for closer military ties with South Africa after the publication of NSSM 39. He had no clear-cut policy in this regard, but evidence, as discussed, showed that he indeed relaxed the arms embargo substantially, although in most cases not directly. He used bodies like the CIA and NATO as smokescreens. It also seems from the above discussion that he was sensitive to the needs of the general United States businessmen, as the case with the Gates Rubber Company clearly shows. It was the protests from this company against the enforcement of the arms embargo on grey area items that directly led to a relaxation of the measures with regard to these items. Accordingly, Nixon authorised a number of sales of grey area equipment that Johnson would have denied. As a matter of fact, Nixon did allow some sales that Johnson had previously vetoed, for example the sale of the Mystère aircraft. It is true that he had to put up with a lot of criticism on his open policy towards South Africa because of this substantial relaxation of the arms embargo. It was predominantly the cause of the first ever United States delegate at the United Nations resigning from his position in protest to the policy of his government, as well as a Congressional hearing on the arms embargo. Nixon however paid little attention

to this criticism. For him, the strategic importance of South Africa played a bigger role than any criticism against his policy. In his emphasis on the pre-eminence of United States national security, he had the support of the majority of the United States citizens, as his re-election as president in 1972, with a massive majority, indicates.

CHAPTER 7

THE FORD ADMINISTRATION AND THE ARMS EMBARGO, 1974 TO 1976

7.1 INTRODUCTION

Richard Nixon resigned as United States president on 8 August 1974, and was succeeded by his Vice president, Gerald Ford. He endorsed the principles that Nixon had set out in the National Security Study Memorandum (NSSM) 39 of 1969, as discussed in the previous chapter¹, and it was soon clear that he too wanted to strengthen ties with South Africa. Ford, along with his Secretary of State, Henry Kissinger, believed that development in Southern Africa was impossible without stability and order. Kissinger was Nixon's National Security Advisor, and became the United States Secretary of State in August 1973. He was viewed by many as the architect of United States foreign policy, although he only really became involved in the questions of Southern Africa after the outbreak of the Angolan Civil War in 1975 and the unrest that broke out in South Africa in 1976. He did exert pressure on South Africa for the abandonment of the latter's apartheid policy, but on the basis of a "carrot and stick" approach. In other words, the Ford and Kissinger protested against the apartheid policy of the South African Government, but in a muted form. In exchange for this leniency, they expected assistance from South Africa in the solving of the problems in other areas of Southern Africa.²

The problems in the other areas of Southern Africa included the fall of Portuguese rule in Angola, which resulted, according to Metz, in both an increase of conservative United States attention to the whole problem of South Africa and a flurry of activity on the part of South Africans who were interested in utilising anti-communism for the development of closer ties with the United States. On 15 January 1975, the Portuguese Government signed an independence agreement with the three Angolan liberation movements which

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1. See Subheading 6.1.
 2. S.K Metz, *The anti-apartheid movement and the formulation of United States policy towards South Africa, 1969 - 1981*, p. 221; D. Prinsloo, *United States foreign policy and the Republic of South Africa*, p. 50; C.F.J. Muller (red.), *500 Jaar Suid-Afrikaanse Geskiedenis*, Derde Uitgawe, p. 582.

had been involved in the lengthy guerrilla war against Portugal, namely the MPLA, UNITA and FNLA. However, before independence could be reached, a war broke out between these three groups, with the MPLA apparently gaining the victory. The Soviet Union provided the bulk of support for the MPLA, who was the largest and oldest movement, and the other two received assistance from the United States, among others. Thus, the war was never a strictly domestic struggle, but rather a proxy struggle between the Soviet Union (and Communism), and those opposed to the spread of communism, including the United States and South Africa. Consequently, conservatives in the United States argued in favour of closer security ties with South Africa in order to counter the communist influence that the Soviets were gaining in Southern Africa. South Africa took this opportunity to start a major public relations offensive aimed at ending the arms embargo and convincing the United States of the strategic importance of South Africa. This resulted in thirty-nine United States members of Congress touring South Africa and visiting the Silvermine naval base in early 1975. Several of them were so impressed with what they saw there, that they publicly advocated the total abolition of the arms embargo³

But while all this was going on, the Ford Administration publicly declared its adherence to the arms embargo. In a statement by the United States Assistant Secretary of State for African Affairs, Nathaniel Davies, it was stressed that the Ford Administration was adhering to a policy adopted toward South Africa in which restraints were being imposed on the bilateral relations and communications with the South African Government and people. Through this policy, the United States' non-acceptance of apartheid was made clear. Foremost among the restraints, was the comprehensive arms embargo against South Africa, which had been faithfully observed by the different United States Administrations since Kennedy. Davies said that the arms embargo encompassed all military equipment. In addition, visits by United States navy ships to South African ports had been banned since 1967, except in cases of emergency. Other high officials of the Ford Administration continued along this line. One senator for example declared, also in 1975, that the Ford Administration had no interest in going into South Africa militarily,

3. S.K. Metz, *The anti-apartheid movement and the formulation of American policy toward South Africa, 1969 - 1981*, pp. 247 - 250.

or to use any of its ports, or indeed lift the arms embargo in any way.⁴

7.2 THE STORM OVER THE PRESUMED REVISION OF THE ARMS EMBARGO

In April 1975, Melvyn Laird, former United States Secretary of Defence, visited South Africa. Upon his arrival, he held a press conference in which he stated that he was speaking as a private United States citizen, although he was a very good friend of President Ford. According to the South African newspaper *Rand Daily Mail* of 2 April 1975, Laird declared that the United States was planning to review its arms embargo against South Africa because of the policy of détente⁵ that the South African Government under John Vorster was undertaking. Laird presumably said that the policy of détente had opened up better understanding and communication between the United States and South Africa. He said that he understood the importance of the Cape sea route from an international security standpoint, especially in the light of the military expansion of the Soviet Union. He was especially concerned about the naval build-up of the Soviet Union and the world-wide activities of the Communist Party. He said furthermore that he had met the group of thirty-nine United States members of Congress who had visited South Africa in a private capacity, and that he had seen their report and recommendations to Kissinger and Ford, which specifically dealt with the importance of the Cape sea route.⁶

Laird's statements created some big waves in the United States Government circles, especially because he was not on an official visit to South Africa. He was visiting the country in his capacity as senior advisor on national and international affairs to the magazine *Reader's Digest*. The United States Department of State was quite concerned

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4. N. Davis, Statement before the Subcommittee on Africa of the Senate Committee on Foreign Relations, *Department of State Bulletin* 73(1887), 1975-08-25, p. 269; South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00518: *Telegram*: United States Embassy, Dar-es-Salaam to Secretary of State, 1975-08-22.
 5. The policy of détente was an initiative of South African premier John Vorster to promote dialogue with moderate African states in order to solve the issues of Southern Africa. Over a period of a year, ranging from September 1974 to August 1975, Vorster undertook four trips into Africa, during which time he met with a number of African leaders. (C.F.J. Muller, *500 Jaar Suid-Afrikaanse Geskiedenis*, Derde Uitgawe, p. 582).
 6. South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00485: *Telegram*, United States Embassy, Pretoria to Secretary of State, 1975-04-02; fiche 00486: *Telegram*: United States Consulate, Cape Town to Department of State, 1975-04-02.

about the covering that his statements received not only in the South African press and broadcasting services, but also internationally. They assumed that international wire services had covered the press conference extensively and reported it to other African states. They were afraid, with good reason, that his comments were bound to resurrect belief with the African states, but also in some public circles in the United States, that the United States arms embargo policy was tilting in favour of the South African Government. This indeed happened, as a telegram from the United States Embassy in Abidjan to the Department of State indicated. The Abidjan daily newspaper, *Fraternite Matin*, on 4 April 1975 carried a three-column article entitled "Washington will review its policy on South Africa". The article cited Laird's statement on the revision of the United States arms embargo policy as a result of Vorster's policy of detente, and also pointed to his statement on the geographical importance of the Cape sea route in the defence of the Southern hemisphere. But it went further still, pointing to Kissinger's "sudden" replacement of Donald Easum as United States Assistant Secretary of State for African Affairs and attributing it to his opposition to the apartheid policy of the South African Government after a trip to that country. Also cited was the private visit by the group of United States members of Congress to South Africa. The article considered that trip as corroboration of the remarks made by Ford early in his presidency concerning the desire of the United States to strengthen its naval presence in the Indian Ocean.⁷

The United States Department of State acted fast to knock down possible misconceptions that could have grown out of Laird's statements. The United States embassy in Pretoria was authorized to issue a press statement noting that Laird was speaking as a private citizen and not on behalf of the United States Government. In this press statement, it had to be made clear that while policy evaluation was a never ending process within the United States Government, no specific reassessment was being made of the arms embargo, and that there was at that stage no likelihood of any change in that policy. The statement also had to emphasize that the United States had declared a unilateral embargo on the sale of arms to South Africa in 1962. In 1963, the United States joined other United Nations members in a comprehensive embargo on the sale of all arms and military equipment to South Africa. This action was taken to contribute to

7. South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00485: **Telegram**: United States Embassy, Pretoria to Secretary of State, 1975-04-02; fiche 00486: **Telegram**: Department of State to United States Government, 1975-04-02; fiche 00488: **Telegram**: United States Embassy, Abidjan to Secretary of State, 1975-04-05.

a peaceful solution to the racial policies of South Africa and to avoid any steps which could contribute to international friction in the Southern Africa region. The embargo had been faithfully observed ever since.⁸

7.3 FORD AND THE UNITED NATIONS

As was the case with his predecessors, Ford's biggest challenge lay in countering the pressure from African states in the United Nations for stronger measures to be taken against South Africa. The central issue behind these attacks concerned South Africa's occupation of Namibia, and it became a scapegoat for efforts to get sanctions instituted against South Africa, including a mandatory arms embargo. The question of Namibia had been on the agenda of every session of the United Nations General Assembly since 1946, and resolutions on the situation in the United Nations Security Council had been adopted every year since 1968.⁹ However, it was especially during the Ford Administration that the attacks against South Africa in the United Nations intensified.

Shortly after his inauguration as president, Ford faced a resolution on the arms embargo against South Africa drafted by the United Nations General Assembly Special Committee on Apartheid. In this resolution, the General Assembly expressed its deep concern over the grave racial situation in South Africa and the military build-up by the South African Government. They were afraid that it might lead to a race conflict in Southern Africa. Accordingly, they declared themselves anxious to avoid such a conflict, and thus requested the full implementation of the United Nations arms embargo against South Africa in order to prevent further aggravation of racial unrest in Southern Africa. The Security Council was requested to urgently consider the draft resolution with the view of taking action under Chapter VII¹⁰ of the United Nations Charter to ensure the complete

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8. South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Collection, fiche 00485: *Telegram*: United States Embassy, Pretoria to Secretary of State, 1975-04-02; fiche 00486: *Telegram*: United States Consulate, Cape Town to Department of State, 1975-04-02; fiche 00487: *Telegram*: Department of State to United States Embassy, Pretoria, 1975-04-02.
 9. South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Collection, fiche 00755, *Report*: By President Jimmy Carter to the Congress for the year 1976 concerning U.N. consideration of the question of Namibia, June 1977.
 10. Chapter VII of the United Nations Charter dealt with action to threats to international peace, breaches of the international peace and acts of aggression, and provisional measures to be taken by members of the United Nations to maintain or restore international peace and security. Chapter VII action could

cessation by all member states of the United Nations of the supplying of any arms, ammunition and military vehicles to South Africa. The United States was absolutely opposed to such action. Thus, it was decided by the Ford Administration that the United States delegation at the United Nations should vote against the draft resolution unless operative references to Chapter VII action in the resolution were taken out. The reason for this was that the United States did not believe that sanctions could be effective in causing the South African Government to abandon its policy of apartheid. The delegation was however simultaneously authorized to declare to the United Nations General Assembly that the United States was willing to vote in favour of a resolution that reaffirmed the 1963 embargo and sought full compliance with it.¹¹

In June 1975, the United Nations again tried to impose a mandatory arms embargo against South Africa during a Security Council meeting on Namibia, and again a veto by the United States prevented it. This draft resolution would have found that the South African presence in Namibia constituted a threat to international peace and security under Chapter VII of the United Nations Charter. The veto of this resolution by the United States directly led to a call from Ambassador Edwin Ogbu, the Permanent Representative of Nigeria to the United Nations and Chairman of the United Nations Special Committee on Apartheid, to James Blake, United States Deputy Assistant Secretary for African Affairs. The purpose of the call was a "full and frank"¹² discussion with the United States by the Special Committee on Apartheid on the issue of the apartheid policy of the South African Government. Ogbu said that although the South African Government had started some reforms, such as allowing Africans to lease land in white areas, it was not enough. The Committee wanted to see political prisoners in South Africa released, and they were hoping that the United States could use its influence to bring pressure against South Africa for more reforms. However, the Committee was noting from press reports that the United States was establishing stronger military links with South Africa, while simultaneously vetoing resolutions in the United Nations that would have established a mandatory arms embargo against South Africa. Ogbu expressed concern over these

mean the implementation of mandatory sanctions against a country.

11. *SALVO: Krygkor 20 Armscor*, p. 11; A.M. Khalifa, The adverse consequences of military and economic assistance to South Africa, *Objective Justice* 8, Autumn 1976, p. 11; South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00478: *Telegram*: United States Embassy, United Nations to Secretary of State, 1974-11-22; fiche 00479: *Telegram*: Secretary of State to United States Embassy, United Nations, 1974-11-26.
12. As quoted in South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00511, *Memorandum of Conversation*, 1975-06-23.

actions, and said that it undermined the United States' credibility with regard to South Africa. He requested the United States to take a firm stand against the sale of arms to South Africa by France, and to support proposed measures against South Africa by the United Nations.¹³

Blake responded firstly by making clear what the United States policy on apartheid was. He said the United States regarded apartheid as wrong, morally as well as legally, and while it existed, it would continue to be a point of friction in the United States-South African relations. He attributed the difficulty of the apartheid problem to the fact that it went to the question of who would have the power to govern in South Africa. He said that he did not know how this problem could be solved, but one thing he was certain of, and that was the fact that rhetoric or impractical resolutions at the United Nations, including a mandatory arms embargo, would not be successful in that regard. He stressed that it was the South African Government, and not the United States, who held the key to the solution of the apartheid problem. Unfortunately, some Third World countries did not view it that way, and kept on criticizing the United States for not resolving the issue. On the contrary, none of them gave credit to the arms embargo that the United States was maintaining against South Africa. Concerning the resolutions that the United States had vetoed, Blake said that the United States could simply not support resolutions which would do violence to the United Nations, to the position of the United States or that just wouldn't work. Nonetheless, he emphasized that the United States would consult with the United Nations Special Committee on Apartheid, especially on the issue of the arms embargo, but then there had to be a genuine wish from the part of the Committee to listen to the views of the United States.¹⁴

But the United Nations remained unsatisfied. The dissatisfaction of the General Assembly in particular was voiced in a resolution tabled on 10 December 1975. It was noted with regret in the resolution that three permanent members of the Security Council, namely the United States, Great Britain and France, have prevented, through their veto rights,

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13. South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00755: *Report*: President Jimmy Carter to the Congress for the year 1976 concerning U.N. consideration of the question of Namibia, June 1977; fiche 00511: *Memorandum of conversation*, 1975-06-23; *SALVO: Krygkor 20 Armscor*, p. 11; A.M. Khalifa, The adverse consequences of military and economic assistance to South Africa, *Objective Justice* 8, Autumn 1976, p. 12.
 14. South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00511: *Memorandum of Conversation*, 1975-06-23.

the institution of a mandatory arms embargo against South Africa under Chapter VII of the United Nations Charter, although it had been recommended by an overwhelming majority of United Nations member states. The three mentioned states were accused of abusing their veto rights, and were again requested to urgently reconsider the situation in South Africa with a view to adopting effective measures, including a mandatory arms embargo, against that country under Chapter VII of the United Nations Charter.¹⁵

In the meantime, military relations between South Africa and the United States entered a vitally important phase, due to the civil war in Angola that had mounted in intensity. The leader of the UNITA movement in Angola, Jonas Savimbi, requested South Africa to aid the anti-communistic forces in their struggle against the pro-communistic MPLA, backed by Cuba. South Africa responded by sending an armed strike force into Angola on 14 October 1975, with the knowledge and approval of United States officials. The South African forces launched a whirlwind campaign that brought the Communist forces to the verge of defeat. However, on 19 December 1975, the United States Senate imposed a ban on all further United States assistance, whether overt or covert, to the anti-communistic forces in Angola. This left the South African forces, along with their UNITA and FNLA allies in Angola, stranded. The United States support had been withdrawn at a very crucial moment during the war. The South African troops were not prepared to go on fighting the communists without the support of the United States, and were consequently withdrawn in January 1976. This left the way open for the seizure of one of Africa's richest and strategically most important territories by the communistic forces of the MPLA, Cuba and East Germany - something that the United States always publicly declared they wanted to avoid! As a result of this, South Africa once again became the "black sheep" in the United Nations, as on 31 March 1976, the United Nations declared South Africa, and not Cuba, the aggressor in Angola. The United States, knowing that the allegation was not true and that they had been an indirect partner to South Africa's participation in the war, failed to veto the resolution.¹⁶

The South African involvement in Angola, along with the Namibian question and other incidences that occurred in 1976, led to renewed pleas at the United Nations for the imposition of a mandatory arms embargo against that country. An incident which had

15. *SALVO: Krygkor 20 Armscor*, p. 11.

16. D. Prinsloo, *United States foreign policy and the Republic of South Africa*, p. 60.

particularly put more oil on the fire, was the unrest in Soweto, a black South African township on the Witwatersrand, which broke out on 16 June 1976. The riot soon spread to other parts of South Africa, and by the time it ended, six hundred youths had been killed. At the same time, efforts by the United States Secretary of State, Henry Kissinger to try and negotiate an agreement on Namibia, proved unsuccessful in the eyes of the African countries. South Africa's occupation of Namibia was viewed as illegal by them, and they demanded constitutional talks on Namibia in order for the latter country to become independent. Consequently, in October 1976, the African countries tabled a draft resolution at the United Nations Security Council¹⁷, calling for a mandatory arms embargo against South Africa in the light of the latter's persistent refusal to withdraw from Namibia. The resolution also stated the grave concern of the African states over what they called

*"South Africa's efforts to destroy the national unity and territorial integrity of Namibia, and its recent intensification of repression against the Namibian people and its persistent violation of their human rights".*¹⁸

For this and other reasons, all member states of the United Nations were requested to prevent any supply of the following to South Africa: arms and ammunition, aircraft vehicles and military equipment, spare parts for arms, vehicles and military equipment, and dual-use aircraft, vehicles or equipment which could be converted to military use.¹⁹

The above-mentioned resolution was vetoed by the United States, along with Britain and France. In his explanation of the vote, the United States Ambassador to the United Nations, William Scranton, said that although the African states did not think so, substantial progress had been made towards a peaceful solution in solving the Namibia question during a major effort undertaken by the United States over the previous six months. Scranton told the United Nations Security Council that it was his firm belief that while the sensitive process of negotiation was going on, it did not serve a useful purpose

17. See Appendix C.

18. As quoted in *South Africa: The making of United States policy, 1962 - 1989*, microfiche collection: National Security Files, fiche 00675: **Resolution**: U.N. Security Council S/12211 concerning Namibia, 1976-10-19.

19. S. Gervasi, The breakdown of the United States arms embargo in *Western Massachusetts Association for Concerned African Scholars, U.S. military involvement in Southern Africa*, p. 135; E. Harsch, Carter vetoes UN sanctions against South Africa, *Intercontinental Press* 15, November 1977, p. 1214; *Beeld*, 1976-10-10, Wapenverbod teen SA dalk geveto; *Star*, 1976-10-16, The great African let-down over SWA; *South Africa: The making of United States policy, 1962 - 1989*, microfiche collection: National Security Files: fiche 00675: **Resolution**: U.N. Security Council S/12211 on Namibia, 1976-10-19.

for the Security Council to take new initiatives on the Namibian situation. The move to bring sanctions in the form of a mandatory arms embargo against South Africa, had come at the worst possible time, because South Africa had demonstrated a willingness to negotiate a fair settlement in Namibia. Therefore, it was important not to jeopardize the ability of the South African Government to make the required concessions. Scranton concluded in saying that the United States' position on the arms embargo was clear. The embargo was instituted more than a decade before and was respected ever since. The Ford Administration intended to keep to it that way.²⁰

The Afro-Asian nations at the United Nations were however not so easily appeased. On 9 November 1976, the United States had to face a plenary hearing on the South African policy of apartheid in the United Nations General Assembly. During that hearing, a resolution calling for a mandatory arms embargo against South Africa under Chapter VII of the United Nations Charter, was tabled. The United States voted against the resolution, stating that it had done so because it was not convinced that the invocation of Chapter VII against South Africa was appropriate at that time. In addition, the United States objected strongly to paragraphs in the resolution which had alleged that the United States was sending arms to South Africa. These paragraphs presumably had their origin in the court cases against two arms manufacturing companies, Colt Industries and Olin Corporation, who were indicted for illegally shipping arms to South Africa, as will be discussed in the next section of this study. On 7 December 1976, eight draft resolutions relating to various aspects of the Namibian question, were introduced in the United Nations General Assembly. The first one reiterated that the situation in Namibia constituted a threat to international peace and security, and urged the Security Council to impose a mandatory arms embargo against South Africa. All member states of the United Nations were requested to cease and prevent any supply of, or activities supporting the supply of, military information or equipment to South Africa. The United States abstained on this resolution also, using all the old arguments, and adding that the United States was committed to a peaceful, negotiated solution to the Namibia problem. In addition, it was stated that the United States did not view the Namibian situation as

20. *Transvaler*, Die, 1976-10-20, S.A. boikot geveto in VV; *Star*, The, 1976-10-20, U.N. veto averts arms embargo; South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Collection, fiche 00678; *Telegram*: Department of State to All African diplomatic posts, 1976-10-20; fiche 00755, *Report*: By President Jimmy Carter to the Congress for the year 1976 concerning U.N. considerations of the question of Namibia, June 1977.

constituting a threat to international peace and security. Therefore, it could not support the imposition of a mandatory arms embargo against South Africa under Chapter VII regulations. The rest of the eight resolutions basically contained the same call for measures against South Africa, although it was differently worded. The United States stance remained the same on all of them.²¹

7.4 THE REVEALING OF ARMS TRANSFERS TO SOUTH AFRICA

Although the successive United States administrations since that of Kennedy agreed to honour the arms embargo that had been instituted against South Africa in 1963, several quantities of arms had been shipped to that country through a variety of clandestine, semi-legal and legal channels, according to Klare. In most cases, the transactions involved the delivery of United States arms to third countries, which were not covered by the embargo, and then their transshipment to individuals, firms or agencies inside South Africa. Some \$465 million worth of military equipment were clandestinely exported to South Africa, most of them after 1970. In addition, seven Swearingen Merlin IV aircraft were delivered legally to the South African Air Force during 1975 - 76. Although these aircraft were regarded as civilian, it could hold fifteen to twenty paratroopers. It was used by the South African Air Force for reconnaissance in Namibia and Southern Angola during the Angolan Civil War, as well as by the internal South African Air Commandos, who were specifically trained in maintaining the internal security of South Africa. In a testimony before the Subcommittee on Africa before the United States Senate Foreign Relations Committee in July 1975, the research director of the Africa Fund, Jennifer Davis, testified particularly on the use of civilian aircraft by these Air Commandos. She asserted that many of these commando members flew with light civilian, United States manufactured aircraft like Pipers and Cessnas. Thus, although these aircraft were being sold to South Africa for civilian use, they were easily converted for use in the internal security planning of the South African Government. Furthermore, in 1976, the United States Department of Commerce licensed to South Africa the export of over \$300 279 worth of items classified as non-military weapons. Included in this,

21. South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00755, *Report*: President Carter to the Congress for the year 1976 concerning U.N. consideration of the question of Namibia, June 1977.

were shotguns and police devices. Upon enquiry, the United States Department of Commerce was at a loss to explain why there was an increase of 238% in shotgun exports to South Africa during 1975 to 1976. Perhaps most disturbing not only for the United States general public but also for members of the United States Congress, was the realisation upon investigation that no official at either the United States Departments of Commerce or State had been monitoring these transactions.²²

In spite of the above-mentioned governmental violations of the arms embargo, there were also illegal transfers of weapons to South Africa. Ford was under pressure from the Congress because of this, because, in February 1976 he ordered a review of bribery and other illegal activities by United States companies and executives in overseas countries. The review was set to lead to Federal sanctions against offending companies. It was undertaken due to documents in the possession of the United States Senate Subcommittee on Multinational Corporations, which showed that millions of dollars in agents' fees for the sale of United States Lockheed aircraft to South Africa, were paid into accounts in Liechtenstein and Switzerland. These accounts were held by officials in Japan and the Netherlands. Lockheed had in the past acknowledged that it had made additional millions in alleged bribes in other countries, which included South Africa.²³

On 21 October 1976, the *Wall Street Journal* reported that the United States Department of Justice was conducting a broad scale grand jury investigation into illegal transshipments of arms and ammunition to South Africa. Among the companies under investigation, were two Connecticut gun companies, namely the Colt Firearms division of Colt Industries, and the Winchester Arms division of the Olin Corporation. The United States Department of State's Office of Munitions Control had already triggered the investigation in 1975, when it was noticed that there were unusually large shipments of sporting guns to the Canary Islands. One Department of State official stated it in a quite comical way, namely:

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22. J. Nessen, The US - Still arming apartheid, *Southern Africa*, November 1978, p. 6; K. Danaher, South Africa, U.S. policy and the anti-Apartheid Movement, *Review of Radical Political Economics*, p. 51; P. Irish, Embargo: Hold for release, *ACOA News*, 1977-12-19; M.T. Klare & E. Prokosch, Evading the embargo: How the U.S. arms South Africa and Rhodesia in Western Massachusetts Association for Concerned African Scholars, *U.S. military involvement in Southern Africa*, p. 164; Armscor Archives, File 1/17/6/1, Volume 4: 1979 - 1988, Division: Top Management: Foreign Affairs and Organization, p. 40: **Presentation:** Prepared for an Institute of Policy Studies - Carnegie Endowment for International Peace Conference on Conventional Arms Trade, undated.
23. *New York Times*, The, 1976-02-11, Ford sets review of bribes abroad by U.S. companies, p. 1.

*"We got suspicious, because there were too damned many elephant guns going to the Canary Islands. Being alert gentleman, we realized that you don't shoot canaries with elephant guns."*²⁴

The report in the *Wall Street Journal* was followed by a revelation by the United States newspaper *New Haven Advocate*, in two articles in October 1976, of the illegal transfer of arms to South Africa by employees of the mentioned two companies. They had arranged to ship rifles, shotguns and ammunition to South Africa via dummy firms in the Canary Islands, Austria, Greece, West Germany and Mozambique. The scheme of the violations involved a network of agents at work at transshipment points in these countries. The disclosure led to several court proceedings, of which one resulted in a one-year sentence for Walter Plowman, an employee of Colt Industries. Plowman pleaded guilty to charges that he falsified an application to the United States Department of State to export guns and ammunition to West Germany, but which were actually sold to South African arms dealers. Because he pleaded guilty, he was never placed on trial. Colt Industries was accordingly spared the embarrassment of having its executives testify under oath on the South African deals. Both companies under investigation said that employees had been fired because of the sales, and that it had been reported to the government. Both denied that senior executives in their companies knew of the shipments beforehand. A spokesman of Olin Corporation said that the sales were a violation of the law and the policy of the company, but added that it only represented one tenth of the company's world-wide sales during the three years from 1972 to 1975. Plowman's plea was reluctantly accepted by the federal judge in the case, who noted that at least 33 different shipments were involved, suggesting the complicity of other individuals.²⁵

In the pre-trial hearings of Colt Industries, Plowman indicated that the transactions that he was involved in, were known to be commonplace in the arms industry. And then he made an even more revealing statement, namely that the United States Department of

24. As quoted in *Star*, The, 1976-10-29, Just too many elephant guns for Canaries.

25. Armscor Archives, File 1/17/6/1, Volume 4; 1979 - 1988, Division: Top Management: Foreign Affairs and Organization, p. 40; **Presentation**: Prepared for an Institute of Policy Studies - Carnegie Endowment for International Peace Conference on Conventional Arms Trade, undated; M.T. Klare, Corporations that sell arms to South Africa, *Business and Society Review* (11), Fall 1980, p. 46; M.T. Klare, The Corporate Gunrunners - South Africa's Weapons Connections, *The Nation* 229, 4 July - 8 August 1979, p. 75; *Star*, The, 1976-10-29, Just too many elephant guns for Canaries; *Transvaler*, Die, 1976-10-22, Wapenverkope aan SA erken.

State regularly acquiesced to these sales by looking the other way when presented with fraudulent export declarations. Hints of this acquiescence from the side of the United States Government, also arose in the court proceedings against the Winchester Arms division of the Olin Company in 1978. The company was charged with violation of the United States Munition Control Act and the subsequent embargo on arms shipments to South Africa adopted by the United States in 1963. The charges involved the subverting of Olin, acting through Winchester, of the announced foreign policy of the United States, as well as being repugnant to international law. Olin was allegedly engaged in the smuggling of 3 200 firearms and 20 million rounds of ammunition to South African between 1971 and 1975, by way of filing twenty fraudulent statements with the United States Department of State. These statements concealed the destination of the weapons, namely South Africa. According to the 1978 indictment of Olin, Winchester had arranged to have an arms dealer in South Africa arranging solicit orders for firearms and ammunition from retail dealers in South Africa. Then, the South African dealer made arrangements with arms dealers in Mozambique, Spain, Greece and Austria to order weapons from Winchester. Hundreds of thousands of dollars worth of shotguns were also shipped to South Africa via the Canary Islands.²⁶

Olin pleaded *non contendere* (no contest) to the 21-count conspiracy indictment, and was subsequently ordered to pay \$510 000 to charities in New Haven as a form of "reparation" for sabotaging the United States arms embargo policy. But it was in a plea for leniency by Olin, that a hint of the acquiescence of the United States Government again arose. Olin argued that given the patently fraudulent nature of their export regulations, like for example the shipping of hundreds of thousands dollars worth of shotguns to previously unheard of arms firms in the Canary Islands, they assumed that the United States Department of State did not have any serious objections to such transactions. According to the Olin brief, such permissiveness could be attributed to both the Nixon and Ford Administration's policy of selectively relaxing the arms embargo in order to assist the South African Government covertly. Olin reasoned as follows:

"Whatever the actual policy of the United States Government was during this period, the Winchester employees principally responsible for dealing

26. *New York Times*, The, 1978-03-15, Olin Corporation indicted for shipping arms to South Africans; M.T. Klare, The Corporate Gunrunners - South Africa's Weapons Connections, *The Nation* 229, 4 July - 8 August 1979, p. 75; M.T. Klare, Corporations that sell arms to South Africa, *Business and Society Review* (11), Fall 1980, p. 46.

with the State Department on export license matters over the years developed the belief that the Department was 'winking' at the representation that arms [actually] sent to South Africa were [supposedly] destined for other countries".²⁷

In this regard, the judge who heard the case, Robert Zampano, contended that even in such a case, Olin still bore the primary responsibility for upholding the arms embargo. Moreover, since any violations of the arms embargo could reflect on the credibility of the United States in the world, Zampano felt that the fine of \$510 000 in reparations, was justified.²⁸

The Olin indictment was widely described in the United States press as evidence that the United States Government was indeed committed to the strict enforcement of the 1963 arms embargo. But, on the other hand, the relative ease with which the Olin Corporation was able to circumvent the embargo, suggested that the enforcement of the arms embargo by the Nixon and Ford Administrations especially, was rather lax. The one mistake that Olin made, was the repeated shipping of arms to the Canary Islands, which had a limited market for firearms. That raised the suspicion of United States Government officials, as was described above. By the end of the Ford Administration in January 1977, there were also indications that the Colt and Olin cases were only the tip of the iceberg of United States clandestine arms sales to South Africa.²⁹ Much of these came to light during the second half of the Carter Administration, and thus falls beyond the timespan of this study.

7.5 CONCLUSION

Gerald Ford, as Nixon's Vice President, endorsed the open door policy that Nixon had instituted with the NSSM 39 of 1969. As a matter of fact, the Ford Administration even built this policy out further, believing that liberation in South Africa from the apartheid

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27. As quoted in M.T. Klare, *The Corporate Gunrunners - South Africa's Weapons Connections*, *The Nation* 229, 4 July - 8 August 1979, p. 76.
 28. M.T. Klare, *Corporations that sell arms to South Africa*, *Business and Society Review* (11), Fall 1980, p. 45; M.T. Klare, *The Corporate Gunrunners - South Africa's weapons connections*, *The Nation* 229, 4 July - 8 August 1979, pp. 75 - 76.
 29. M. Klare & E. Prokosch, *Getting arms to South Africa*, *Nation* 227(2), 8 - 15 July 1978, p. 49; M. Klare & E. Prokosch, *Evading the embargo: How the U.S. arms South Africa and Rhodesia*, *Issue* 9(1/2), Spring/Summer 1979, p. 45.

policy was not possible without first gaining stability and order in the greater Southern Africa area. Like Nixon, they ascribed the instability and disorder in the area to the advancement of communism almost right up to the South African doorstep. But Ford's support of South Africa was mainly kept behind the scenes, as he simultaneously wanted to improve the image of the United States in the eyes of the African nations, who were all the time still pressing for sanctions against South Africa. A very good example of military behind-the-scenes co-operation was the Angolan Civil War, in which the United States initially assisted South Africa. When things however got too heated up, this support was withdrawn. To make matters even worse, the United States denied co-operation with South Africa, and even joined the African nations in the United Nations in branding South Africa as the aggressor in Angola by not vetoing the resolution in which this was stated. The Ford Administration also stressed their non-alignment with South Africa through continuous public statements, in which they said that they had imposed restraints on communication with the South African Government and were adhering to the arms embargo, which encompassed all equipment that could be used militarily by the South African Government in the execution of their apartheid policy. On the contrary though, it is clear that Ford did not strictly adhere to the arms embargo. Proof of this is the United States vetoing of every resolution in the United Nations that requested a mandatory arms embargo against South Africa because they regarded South Africa as a threat to the maintenance of international peace. Ford presumably did not regard the apartheid policy as a threat to international peace and security. Furthermore, as was discussed above, some proof surfaced in 1976 of substantial military sales to South Africa during the Ford Administration, not only by private United States firms who gained illegal licenses for arms exports to South Africa, but also through legal transactions that were authorized by the Ford Administration. Although some of the private firms were prosecuted, there was enough evidence to show that the Ford Administration had closed its eyes to several military transactions to South Africa, thus not implementing the arms embargo to its full extent, as it had claimed.

CHAPTER 8

THE CARTER ADMINISTRATION AND THE INSTITUTION OF A MANDATORY ARMS EMBARGO, 1977

8.1 INTRODUCTION

Jimmy Carter became the United States president after he had won the presidential elections in late 1976. From the outset, his administration followed a policy of exuberant public posturing against the racial discrimination as embodied in the apartheid policy of the South African Government. It was soon clear that South Africa would be a prime target of Carter's foreign policy. Already in January 1977, even before his confirmation as United States Secretary of State, Cyrus Vance declared that the Carter Administration was undertaking to stress by word and deed the United States' opposition to the system of apartheid. Accordingly, the black human rights veteran, Andrew Young, was appointed as United States Ambassador to the United Nations. Young, along with Carter's Vice president, Walter Mondale, Vance and Carter himself continuously made well documented statements in which majority rule in South Africa was being favoured. Simultaneously, the Carter Administration gave the United States public the impression that they were preparing themselves for strict action against South Africa and that they were exercising strong diplomatic pressure against South Africa for the abolishment of the harsher elements of the apartheid policy. Concerning military relations with South Africa, it was conducted within the general framework of the overall Carter Administration's foreign policy as well as in line with the above-mentioned particular policies towards South Africa. Furthermore, the United States Department of Justice was instructed to investigate reports of illegal arms sales to South Africa which involved United States arms manufacturers.¹

1. K. Danaher, South Africa, U.S. policy and the Anti-Apartheid Movement, *Review of Radical Economic Policies* 11(3), 1979, p. 43; E. Harsch, Carter vetoes UN sanctions against South Africa, *Intercontinental Press* 15, November 1977, p. 1214; D. Prinsloo, *United States Foreign Policy and the Republic of South Africa*, p. 91; South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00727: *Telegram: Secretary of State to United States Embassy, Dublin, 1977-01-30*; D. Prinsloo, *United States foreign policy and the Republic of South Africa*, p. 106.

8.2 CARTER AND THE PRESSURE FOR A MANDATORY ARMS EMBARGO

For the first few months after becoming president, Carter wanted to maintain the status quo. However, almost immediately after his inauguration in January 1977, he was forced to find his feet in Southern Africa-related matters. This can mainly be ascribed to the rapidly increasing pressure at the United Nations for a solution to the Namibia question, as well as internal pressure from both the United States Congress and the United States general public. Even the South African press picked up this pressure and the consequences that it could constitute for the Carter Administration. Two of the biggest South African daily newspapers (interestingly one being white orientated and the other black orientated) carried reports saying that:

"The Carter Administration [is] facing a dilemma at the U.N. as African countries press on with plans to test the new administration's policy on Southern Africa".²

The reports went on to say that Andrew Young, the United States Ambassador to the United Nations, was central to the dilemma, because of the way that he was antagonising many people and countries. Young was apparently quite insensitive in the way in which he made statements. Furthermore, he raised the hopes of African countries by proclaiming that a binding arms embargo was the irreversible policy of the Carter Administration. However, he placed the emphasis on a binding arms embargo, which, in his mind, was apparently still not a mandatory arms embargo, although he stated in the same breath that he was letting his thoughts go on whether the prospect of a mandatory arms embargo against South Africa could be part of an acceptable solution to the Namibia question, as well as the policy of apartheid.³

Internal pressure in the United States Government surmounted in a resolution by the United States Congress's House of Representatives introduced in March 1977. This resolution called on the United States president to undertake an immediate, comprehensive review of United States policies and practices with respect to the shipment of arms and related objects to South Africa. The president was also requested

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2. As quoted in South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00735: *Telegram*: United States Embassy, Pretoria to Department of State, 1977-02-23.
 3. South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00735: *Telegram*: United States Embassy, Pretoria to Department of State, 1977-02-23; D. Prinsloo, *United States foreign policy and the Republic of South Africa*, p. 106.

to take appropriate steps in order to ensure that the actions of the United States were consistent with United States obligations under the 1963 United Nations arms embargo, and to prevent the shipment or transshipment to South Africa of any arms or related items which could directly or indirectly aid the system of apartheid. In addition, the resolution mandated that within sixty days of passage, the president had to report back to the Congress on the result of the review. This report had to include an explanation of the licensing of non-military weapons between 1975 and 1976 (during the Ford Administration),⁴ while at the same time setting forth steps that would be taken to ensure that the arms embargo against South Africa was being strictly and rigorously enforced by the United States Government. Carter adhered to the resolution. On 19 May 1977 he announced a policy of restraint on arms sales and aid to South Africa. The details of this policy were set out in a report to the United States Congress on 11 July 1977. In the report, the Congress was cautioned against the widespread use of an arms embargo against countries that it considered had violated human rights. Carter suggested that only the worst offenders of human rights should be cut off from United States arms supplies. He reasoned that the cutting of military aid to smaller countries risked offending such countries that collectively were important to United States security interests. Consequently, such countries might turn to other suppliers and by doing so diminish the chances of the United States to influence the human rights policies of those countries.⁵ These statements by Carter in the report suggests that although he was outspoken against the apartheid policy of South Africa, he was cautious to implement harsh measures against South Africa. The reason for this is two-fold. Firstly, Carter was aware of the strategic value of South Africa to the United States, and that sanctions against South Africa would most probably alienate that country from the United States, and secondly, he believed that the United States could still have influence in South Africa - something that would not be possible in the case of an alienated South Africa.

But Carter soon had to face more intensive pressure for the insitution of stronger measures against South Africa. The House of Representatives resolution and the interest that resulted from it, gave rise to a series of Congressional hearings before the United

4. See Chapter 7.

5. Armscor Archives, File 1/17/6/1, Volume 4: 1979 - 1988, Division: Top Management: Foreign Affairs and Organization, pp. 28 - 29: **Presentation:** Prepared for an Institute of Policy Studies - Carnegie Endowment for International Peace Conference on Conventional Arms Trade, undated; D. Prinsloo, *United States foreign policy and the Republic of South Africa*, p. 106.

States Congress House of Representatives Subcommittee on Africa. The main testimony in the hearings, on 14 July 1977 was that of Sean Gervasi, resource associate at the New York State University. In his testimony, Gervasi charged that the United States Government had consistently violated the 1963 United Nations arms embargo by approving sales of lethal equipment to South Africa. Those equipment included the following: M-3A1 armoured personnel carriers, T17 EL Staghound armoured cars, M-47 Patton main battle tanks, M-41 Walker Bulldog light tanks, M113A1 armoured personnel carriers, Commando V-150 armoured personnel carriers, Lockheed F-104G Starfighter jets, North American F51D counterinsurgency aircraft, Augusta-Bell 205A Iroquois helicopters and Lockheed Hercules C-130B transport aircraft - most of which were sold after the institution of the arms embargo. Gervasi said that it was not known outside the official United States governmental circles until 1976 that these weapons were in the South African military inventory. Therefore, the fact that the United States had made an important contribution to the expansion and modernization of the South African Defence Force, came as a surprise to many.⁶

According to Gervasi, the preferred channel of getting arms to South Africa, was through licensed production. Because United States corporations were not allowed to sell directly to South Africa, a foreign manufacturer was sought to produce a United States weapon under license. The foreign manufacturer then shipped the item in question to South Africa. Although these shipments could have been controlled by the United States Department of State's Office of Munitions Control, it hardly ever happened. For example, the United States company FMC, which Gervasi had thought was the Ford Motor Company, had licensed a major Italian arms manufacturer, Oto Melara, to produce a version of the United States M-113A1 armoured personnel carrier. Some of these Oto Melara versions were sent to South Africa. Oto Melara was also shipping their version of the United States M-103 self-propelled gun under license to South Africa. Another example involved a Portuguese firm, Bravia, who was producing the United States V-150 Commando personnel carrier under licence from Cadillac Gage of Detroit, United States, and shipping it to South Africa. Gervasi concluded his testimony by saying that he did

6. United States Congress: Committee on International Relations, *United States - South Africa relations: Arms embargo implementation*, Hearings before the Subcommittee on Africa of the Committee on International Relations, House of Representatives, 14 and 20 July 1977, pp. 3 - 6; S. Gervasi, *The United States and the arms embargo against South Africa: Evidence, Denial and Refutation*, pp. 21 - 22.

not believe that the Carter Administration was involved in the arms traffic to South Africa. However, the shipment of such large quantities of arms that did get through to South Africa, indicated a military commitment of some kind to try and reinforce the South African Government at a very delicate stage in its history, where it was on the verge of collapsing. The fact that such a commitment was made, was quite consistent with the whole reversal of policy which took place after Nixon had accepted the National Security Memorandum (NSSM) 39 in 1969,⁷ as well as the decisions that were made by the Ford Administration with respect to the question of Angola.⁸

Officials from the United States Departments of State and Commerce were scheduled to testify at the hearing on 20 July 1977. Gervasi's testimony created some huge waves in these two Departments, and the assistance of the United States Embassy in Pretoria was called in by the Department of State to establish whether Gervasi's allegations were correct. The Embassy replied in saying that it had no record, knowledge, nor recollection of Italian arms sales or transfers under United States license to South Africa. On the contrary, the embassy considered that all significant Italian arms manufacturers and exporters were fully aware of the United States' structures on the transfer of arms to South Africa, and they had honoured it. Furthermore, there was no evidence that Oto Melara and Augusta were not meticulous in seeking prior United States assent for possible sales to South Africa, even though the United States response was always negative. The embassy had quoted Gervasi's statement to the two Italian firms, and the response was immediate and comprehensive denial. Stanley Marcuss, the United States Deputy Assistant Secretary of Commerce, testified on behalf of the Department of Commerce. He testified that the Carter Administration had implemented new arms embargo regulations against South Africa in July 1977. These regulations increased United States governmental control over exports to South Africa of equipment used in crime control and detection, as well as grey area items that had not been controlled before. These equipment included psychological stress analyses devices, non-military gas masks, bullet-proof vests, helmets and shields, photographic equipment designed for

7. As discussed under subheading 6.1.

8. As discussed on pp. 97 - 98; United States Congress: Committee on International Relations, *United States - South Africa relations: Arms embargo implementation*, Hearings before the Subcommittee on Africa of the Committee on International Relations, House of Representatives, 14 and 20 July 1977, pp. 3 - 6; S. Gervasi, *The United States and the arms embargo against South Africa: Evidence, Denial and Refutation*, pp. 21 - 22; South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00760: *Telegram*: Secretary of State to United States Embassy, Pretoria, 1977-07-15.

crime control and detection, documentation authentication equipment, Boeing 747 aircraft which could be used for troop transport, and shotguns as a new addition to the munitions control list.⁹ Marcuss also said that the 1970 policy under which equipment could be licensed to military buyers when it did not have a clear and direct application to combat and internal security, was also under review.¹⁰

William Lewis, Director of the Bureau of African Affairs, United States Department of State, testified in the hearing on behalf of the Department of State. He declared in his opening statement that the hearing came at a very suitable time, as the Carter Administration was in the process of reviewing the standards and criteria that had to be exercised in the implementation of an arms embargo. This statement was confirmation to Marcuss's, as stated in the above paragraph. In answer to the allegations by Gervasi concerning the sale of United States weapons to South Africa through licensing by third countries, Lewis said that all licenses and agreements with foreign countries contained conditions that the weapons were not to be sold to a third country without the explicit permission from the United States Government. Permission to sell military items to South Africa, was never given. Concerning the sale of V-150 Commando personnel carriers to South Africa by the Portuguese firm Bravia, Lewis said that the sale was never licensed. In fact, two former employees of Cadillac Gage had stolen the technical data and sold it to Bravia. They were however caught by the United States Government and prosecuted for the illegal transfer of technology. According to Lewis, this fact demonstrated the falsity of the allegation made by Gervasi that the United States Government had taken no effort in stopping the arms traffic to South Africa.¹¹

Another example that Lewis used, involved the reference that Gervasi made to the Ford Motor Company. Lewis pointed out that FMC was not the Ford Motor Company, but a separate company which was not even a subsidiary of the Ford Motor Company. FMC had indicated that they did not make any transfers of arms to South Africa, not even

9. South Africa: The making of United States policy, 1962-1989, microfiche collection: National Security Files, fiche 00760: *Telegram*: Secretary of State to United States Embassy, Pretoria, 1977-07-15; fiche 00761: *Telegram*: United States Embassy, Pretoria to Secretary of State, 1977-07-18; D. Prinsloo, *United States foreign policy and the Republic of South Africa*, p. 108.

10. See p. 85.

11. S. Gervasi, *The United States and the arms embargo against South Africa: Evidence, Denial and Refutation*, pp. 25, 27; United States Congress: Committee on International Relations, *United States - South Africa relations: Arms embargo implementation*, Hearings before the Subcommittee on Africa of the Committee on International Relations, House of Representatives, 14 and 20 July 1977, p. 59

through Oto Melara. This had been checked by the United States Department of State and FMC was proved to be correct. The United States Department of Commerce testified basically along the same lines as the United States Department of State, using the hearing to give a detailed explanation of all measures taken in the implementation of the arms embargo. They also emphasized that validated licenses for all shipments to South Africa which were transited through the United States, were required.¹² Gervasi was also false in his allegation of the sale of Starfighter jets to South Africa. South Africa never received any Starfighter jets. If there was indeed such transfers, the jets were being kept undercover and never used. It is however very difficult to hide a jet fighter. Thus, it can be concluded that Gervase's statement before the House of Representatives Subcommittee on Africa, was false and based on speculation.

From September 1977, the relations between the United States and South Africa started to deteriorate more rapidly than ever before. Despite the very intense pressure that Carter had to endure for stronger measures against South Africa during the first few months of his presidency, he instituted no changes in his policies. However, the internal situation in South Africa now deteriorated suddenly. On 12 September 1977, a prominent black opponent of apartheid in South Africa, Steve Biko, died in police custody under strange circumstances. This was followed by a major crackdown on black political activists by the South African Government, the subsequent arrest of several black leaders, the banning of a number of prominent anti-apartheid figures, the closing down of two black newspapers and the banning on 19 October 1977 of every major black organisation in the country. As a result, a public outcry was heard in the United States, and the African members of the United Nations immediately started a renewed campaign to invoke tough punitive measures, including a mandatory arms embargo, against South Africa. Carter himself denounced the action publicly within hours after the announcement of the bannings by John Vorster, the South African Prime Minister. And then Andrew Young, the United States Ambassador to the United Nations, declared that he was in favour of something that the United States had consistently rejected ever since the

12. S. Gervasi, *The United States and the arms embargo against South Africa: Evidence, Denial and Refutation*, pp. 25, 27; United States Congress: Committee on International Relations, *United States - South Africa relations: Arms embargo implementation*, Hearings before the Subcommittee on Africa of the Committee on International Relations, House of Representatives, 14 and 20 July 1977, p. 59; Armscor Archives, File 1/17/6/1, Volume 4: 1979 - 1988, Division: Top Management: Foreign Affairs and Organization, p. 29: **Presentation**: Prepared for an Institute of Policy Studies-Carnegie Endowment for International Peace Conference on Conventional Arms Trade, undated.

Eisenhower era, namely a form of sanctions against South Africa. However, Young would not say whether or not the Carter Administration was leaning more toward going along with the African demands for a mandatory arms embargo against South Africa. He did take care to add that he was expressing a personal view, but also said that his role was to lay out possible alternatives and their likely consequences for decisions by President Carter and Cyrus Vance, the United States Secretary of State. The latter, in the aftermath of the tough measures taken by the South African Government, had immediately summoned the United States Ambassador to South Africa back to the United States for consultations. This action was an obvious rebuff to South Africa and indicated that the actions taken by the South African Government could have serious repercussions on the relations between the two countries.¹³

8.3 THE INSTITUTION OF A MANDATORY ARMS EMBARGO AGAINST SOUTH AFRICA

On 25 October 1977, the United States declared that it had decided in principle to support a proposed move in the United Nations Security Council to impose a mandatory arms embargo on South Africa because of the latter's government crackdown on the country's black liberation leaders and their white supporters. Officials of the Carter Administration said that the administration viewed this crackdown as a threat to international peace. This statement had put the last nail in the coffin of the constant United States refusals in the United Nations to brand the South African policy of apartheid as a threat to international peace and security, as well as the United States' resistance to impose mandatory sanctions against the country. The decision was revealed by the Carter Administration during the second day of a debate in the United Nations Security Council on a complaint against South Africa tabled by 49 countries. Yet, despite the willingness of the United States to impose a mandatory arms embargo against South Africa, it still proposed a reservation, namely the setting of an initial time limit on the embargo. The Carter Administration felt that the purpose of such a time limit

13. S.K Metz, *The anti-apartheid movement and the formulation of United States policy towards South Africa, 1969 - 1981*, p. 391 - 392; E. Harcsh, Carter vetoes sanctions against South Africa, *Intercontinental Press* 15, November 1977, p. 1214; D. Prinsloo, *United States foreign policy and the Republic of South Africa*, pp. 96 - 97; *New York Times*, The, 1977-10-25, Young in favor of stiffer steps on South Africa, p. 1; *New York Times*, The, 1977-10-26, U.S. is said to agree to arms sanctions against South Africa, p. 1.

would be to offer an incentive to South Africa to halt their crackdown, and they hoped to persuade other Security Council members to settle for this reservation. Carter said in a press conference that what they wanted was a resolution of the South African threats to the peace in Southern Africa and to have the rights of the South African people themselves protected.¹⁴

On 28 October 1977, Carter formally declared the support of the United States to a mandatory United Nations embargo against all arms sales to South Africa, predicting that the embargo would be voted affirmatively by the United Nations Security Council. At the United Nations, the five Western members of the Security Council, namely the United States, Canada, West Germany, Britain and France, agreed on a resolution calling for a mandatory arms embargo against South Africa, but with a time limit of six months. It was however still in doubt at that time whether the African nations, who had demanded more drastic action, would accept the arms embargo. Carter also extended the United States' own arms embargo against South Africa to include military spare parts, executive-type aircraft, computers and some grey area equipment. The immediate effect of this step was the barring of sales to South Africa of spare parts for the C-130 aircraft, for which a contract was signed before the institution of the 1963 arms embargo. Lastly, Carter actively considered the calling back of one of the United States military attachés in South Africa.¹⁵

Carter justified his decision on the mandatory arms embargo by declaring that it was an important way in which to express in no uncertain terms the United States' deep and legitimate concern about the apartheid policy of the South African Government and its actions against black leaders in the country. He said that a crisis was endangered when the South African Government took away the rights of free press in South Africa and eliminated many of the organizations that had been working towards improved equality for all the citizens of South Africa. He did however leave a door open for diplomacy, as the mandatory arms embargo was a limited move by the United States that stopped just short of more damaging economic sanctions. In this regard he said that the United States

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14. *New York Times*, The, 1977-10-26, U.S. is said to agree to arms sanctions against South Africa, pp. A1, A7.
 15. *New York Times*, The, 1977-10-28, President says U.S. backs U.N. arms ban against South Africa, pp. A1, A8; South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00793: *Telegram*: Secretary of State to All African diplomatic posts, 1977-10-28; fiche 00794: *Telegram*: Secretary of State to All African diplomatic posts, 1977-10-28.

still hoped that the South African Government would co-operate in bringing a peaceful solution to the Namibia question and the issue of apartheid. In answer to claims that he was meddling in the internal affairs of South Africa by imposing a stricter arms embargo against the country, Carter replied that he did not regard it that way. In his view, his administration was simply deploring a blatant deprivation of basic human rights by the South African Government, although it had not at any given time laid out any specific action that had to be taken by the South African Government. The United States Congress from their part backed Carter in his decision. Following his formal announcement of a mandatory arms embargo against South Africa, the International Relations Committee in the United States Congress's House of Representatives, approved a resolution calling for effective measures that had to be taken by Carter in retaliation for the actions of the South African Government. The United States Congress strongly denounced the actions of the South African Government, saying that it suppressed the expression of political thought and violated the rights of the individual. Therefore, they supported the policy of a mandatory arms embargo against South Africa.¹⁶

But the mandatory arms embargo was not yet formal policy. It still had to get past the African nations in the United Nations, who were pressing for extensive sanctions against South Africa. As long as it was not accepted by them, it was not a mandatory arms embargo, but merely a stricter embargo on the side of the United States. In this regard, one cannot help wondering if Carter's announcement of a mandatory arms embargo against South Africa was not merely an effort to somewhat counter the pressure from these African states, while simultaneously polishing up the image of the United States in the eyes of the African countries. On 30 October 1977, senior United States officials at the United Nations indicated strongly that the United States would veto any United Nations Security Council effort to impose economic sanctions against South Africa. At the same time, United States diplomats at the United Nations sought to persuade the African nations to go along with Carter's six-month mandatory arms embargo on South Africa. A clear explanation for these actions could be found in an interview with Zbigniew Brzezinski, Carter's National Security Advisor. He believed that too many sanctions against South Africa would have been counterproductive - the reason being the old argument of the Soviet Communistic threat. Brzezinski was concerned about possible

16. South Africa: The making of United States policy, 1962 - 1989, microfiche collection: National Security Files, fiche 00794: *Telegram*: Secretary of State to All African diplomatic posts, 1977-10-28.

Nations arms embargo of 1963 that the United States adhered to.¹⁹

8.4 THE SOUTH AFRICAN REACTION TO THE MANDATORY ARMS EMBARGO

The final cessation of military links between the United States and South Africa, drew much comment from the latter. Immediately after Carter's first announcement of the United States decision to support a mandatory arms embargo against South Africa, the latter's Government responded in a defiant way, although the move had at that stage not yet been formally announced. It was especially the South African Minister of Defence, P.W. Botha, who reacted with bitter references to Carter, as the following quotation from a telephonic interview with the *New York Times* well indicates:

*"I think what your country needs most is a man at the helm who knows some psychology. A psychologist will tell him, a simple psychologist, that you cannot try and dictate to a people from abroad, you must cooperate with them".*²⁰

Botha went on to say that South Africa had a strong enough arms industry to surmount an international arms embargo and to put up a fight that would astonish everybody who sought an end to white rule in South Africa. However, he admitted that a mandatory arms embargo by the United States would deprive the South African Defence Force of some needed conventional weapons, although it would not seriously weaken their overall fighting capacity. He attributed Carter's decision largely to the influence of Andrew Young, who had been vilified by many white South Africans for his outspokenness on South Africa. Other reaction from the South African side included that of the Minister of Foreign Affairs, Pik Botha. He said he could not understand the intolerance of the United States Government, or the double standards applied to South Africa on issues such as human rights and press freedom. He accused the Carter Administration of joining the emotional vendetta of the Afro-Asian states against South Africa and of making statements that encouraged violence in South Africa without being prepared to take

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19. *New York Times*, The, 1977-10-29, Africans in U.N press South Africa curbs, p. 3; E. Harsch, Carter vetoes UN sanctions against South Africa, *Intercontinental Press* 15, November 1977, p. 1214; South Africa: The making of United States policy, microfiche collection: National Security Files, fiche 00797; *Telegram*: Secretary of State to All African diplomatic posts, 1977-10-31; fiche 00799; *Telegram*: United States Embassy, United Nations to Secretary of State, 1977-11-01; fiche 00799, 1977-11-04; D. Prinsloo, *United States foreign policy and the Republic of South Africa*, p. 98.
20. As quoted in *New York Times*, The, 1977-10-27, South Africa defies U.S. on arms, says it can surmount an embargo, p. A1.

responsibility for the results. Thus Carter, by declaring a mandatory arms embargo against South Africa, in fact declared a war, and stated that South Africa would never retreat. The South African Prime Minister, John Vorster, supported Pik Botha's view. He said at a public meeting that the mandatory arms embargo was tantamount to an open invitation to violence in South Africa. Consequently, if people got hurt in the process, it was not South Africa's fault, but rather those who instituted the embargo. Vorster also said that although those who sponsored the embargo believed that they would seriously hurt South Africa, it would not be the case, as the latter had already seen the embargo coming years ago and had made adequate provision for it.²¹

After the passing of the United Nations Security Council resolution on 4 November 1977, the South African Government again spewed defiance. The United Nations was criticized in the harshest of terms. The Minister of Economic Affairs, Chris Heunis, warned foreign companies doing business in South Africa that they might be asked to produce military usable materials in light of the new ban on arms sales to South Africa. And the Justice Minister, Jimmy Kruger, accused Carter of applying double standards by supporting and not vetoing the mandatory arms embargo at the United Nations. The message behind both of these statements was clear, namely that if United States and European countries wanted to stay in South Africa and earn money, they might soon find themselves called upon to assist the South African defence forces in a more overt manner.²²

8.5 CONCLUSION

When Jimmy Carter became United States president in 1976, a new phase in the United States policy towards South Africa was entered - a phase which led to the first sanctions ever to be instituted against a member state of the United Nations. His presidency also marked a period where South Africa became a prime object in United States foreign policy, and his administration was not reluctant to stress by word and deed its opposition to the South African policy of apartheid. A few reasons played a role in this. One reason

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21. *New York Times*, The, 1977-10-27, South Africa defies U.S. on arms, says it can surmount an embargo, p. A1; *New York Times*, The, 1977-10-29, U.N. sanctions and the South Africans, p. 3; D. Prinsloo, *United States foreign policy and the Republic of South Africa*, p. 130; *South African Digest*, 1977-11-11, Arms ban is invitation to violence - Vorster, p. 1.
22. F.J. Parker, *South Africa: Lost Opportunities*, p. 132.

was the Afro-Asian pressure in the United Nations for sanctions against South Africa, which culminated sharply from 1976. Carter realized that this pressure could not be countered much longer without real harm to the image of the United States in the world. The Namibia question has been dragging on for years and the Afro-Asian nations were becoming impatient, although it was clear that the Namibia question was just a scapegoat for attacks on the South African Government. Also, the anti-apartheid movement in the United States was gaining momentum by the day, resulting in internal pressure on the Carter Administration for a stronger stance against the South African Government's policy of apartheid. But it was the South African Government who blew the final whistle for an end to a moderate United States policy towards it. The Soweto unrest and the crackdown on the black liberation movements by the South African Government that followed, couldn't have come at a worse time, in the light of the culmination of Afro-Asian pressure in the United Nations that were mentioned earlier. Carter acted by first strengthening the original arms embargo, and then by instituting a new, mandatory arms embargo against the South African Government. These measures did not entirely satisfy the Afro-Asian nations, but at least the United States image was saved, and the institution of economic sanctions was postponed until the 1980's.

CHAPTER 9

EVALUATION

In Chapter 1, it was stated that the aim of this study is to analyse the steps taken by the different United States Administrations up to 1977 in the implementation of the arms embargo against South Africa as instituted by the Kennedy administration in 1963. It was also stated that close scrutiny of the implementation of the arms embargo allows the observer the opportunity to judge the seriousness that the United States assigned to the policy of the arms embargo, which will then lead to the outcome of drawing a wide conclusion on the role that South Africa played in the foreign policy objectives of the United States. The purpose of this chapter is to draw that wide conclusion by evaluating the implementation of the arms embargo by the different United States Administrations up to 1977 and the importance that they assigned to it.

The following question can consequently be asked: Did the United States successfully implement the arms embargo against South Africa that had been instituted in 1963? When looking at the implementation of the embargo in a broader sense, one can indeed answer yes to this question. From 1963 to 1977, no major military equipment that could be used in a conventional war had been supplied to South Africa by the United States. This was also the case with smaller equipment that could be used for internal security. Indeed, although there had been some wild allegations from time to time that the United States was not implementing the arms embargo effectively and was circumventing it by transferring arms to South Africa, the policy of the different Administrations from Kennedy to Carter was one of adherence to the arms embargo policy, although based on different interpretations. When each individual United States Administration during that time was evaluated more closely, it was found that there were certain measures and equipment that had been classified differently by each of these Administrations, leading to the conclusion that each had its own interpretation of how the arms embargo had to be implemented. It also seems as if the presidents belonging to the Democratic Party were more strict on the implementation of the arms embargo than those belonging to the Republican Party. One can furthermore assert that each president's interpretation of the arms embargo depended mainly on what role the arms embargo played in the foreign

policy objectives of their Administrations. Kennedy, a Democrat, for example did not have a particular foreign policy with regard to Africa or even South Africa, although he publicly denounced the policy of apartheid. However, during his administration, the pressure by the independent African nations in the United Nations, backed by the Asian nations, for measures to be taken against the South African Government, became stronger than ever before. These African states were newly independent from colonial rule and very vulnerable to communistic influence. Because the United States found itself in a Cold War situation with the communistic Soviet Union, Kennedy had to be sensitive to this fact. But there was also the factor of South Africa whose geographical location, opposition to communism and friendly cooperation in the United States military and space programme was important to the Kennedy Administration, although its foreign policy was not dependent on it. The United States also had major investments in South Africa. This placed Kennedy in a difficult situation. He realized that the pressure by the Afro-Asian nations asked for a more vigorous approach from the side of the United States. On the other hand, he didn't want to totally scare off the South Africans. Consequently, he decided on an embargo of arms against South Africa in an effort to somewhat appease the Afro-Asian nations while simultaneously maintaining the cooperation and business of South Africa. He rightly thought that although South Africa would spew defiance, it would not totally withdraw its cooperation regarding space and military matters.

Kennedy had instituted the embargo, but had no set policy on the implementation thereof. There were several government directives and memorandums with recommendations on how it should be implemented, but it was cut short by Kennedy's assassination. Consequently, this task came to rest on the shoulders of his Vice President, Lyndon B. Johnson, who succeeded Kennedy as United States president. Johnson saw the problem of South Africa as a rather thorny and explosive foreign policy question. This was the first sign of an African foreign policy that was informally taking shape in the United States, and one can say that it was also evident in Johnson's implementation of the arms embargo. He had to keep up with excessive demands on how to implement the arms embargo, not only from the Afro-Asian nations, but also from politicians within his own government. These demands were equally fierce from the camps of those who favoured some limited military cooperation with South Africa and those who were not satisfied with the arms embargo alone and sought stronger measures. Johnson was not in favour

of stricter measures, but he also did not favour continued military cooperation with South Africa. Thus, he followed a midway. He instituted strict guidelines on how the arms embargo should be implemented, even in the difficult field of grey area equipment, while he at the same time countered pressure in the United Nations for sanctions against South Africa by refusing to support any resolutions in that regard.

When Nixon became United States president in 1969, a new era started in the United States' policy towards South Africa. Nixon was a Republican, and that in itself meant a move away from the Democratic policy of Kennedy and Johnson. During the Nixon Administration, through the NSSM 39, a formal African foreign policy started taking shape for the first time - a policy that leaned very heavily on the issue of anti-communism. Therefore, a more open approach towards the problems of South Africa than that of Johnson and Kennedy, was followed. Indeed, Nixon favoured the retaining of white power in South Africa for a considerable period of time, believing in a broader instead of a limited association with it. South Africa, in the eyes of Nixon, was important as buffer against the expansion of communism in Africa. Thus, the strategic importance of South Africa played a very big role in the formulation of Nixon's foreign policy, in comparison with Kennedy who regarded it as important, but not so important that part of his foreign policy depended on it. This directly led to a substantial relaxation in the implementation of the arms embargo by Nixon. He left no stone unturned for closer military ties with South Africa, although he stated that as clear demonstration of his opposition to the apartheid policy of the South African Government and of the need in Africa for racial and political justice, he would support the arms embargo to its full extent. This statement was probably made to polish the United States image in the eyes of the other African countries a bit. He attracted a lot of criticism for his relaxation of the embargo, which was mostly done indirectly and behind the scenes, but he paid little attention to it. For him, the strategic importance of South Africa in the countering of communism weighed heavier than any criticism against his policy. By 1974 the criticism had however mounted extensively, and one can't help wondering if it wasn't one of the indirect causes of his resignation as United States president on 8 August 1974, after the Watergate Scandal.

Gerald Ford, Nixon's Vice President and the new United States president after Nixon's resignation, continued with the policy that Nixon had laid down. Like Nixon, Ford

ascribed the instability and disorder in Southern Africa to the advancement of communism in Africa. Ford believed that stability and order could not be gained in Southern Africa without the assistance of South Africa. He criticized the apartheid policy of the South African government extensively, but he believed that if stability and order could first be obtained, then democracy in South Africa would automatically follow. Consequently, like Nixon, he also followed a policy of broader association with South Africa, while at the same time he publicly declared his adherence to the arms embargo. But broader association cannot be successful without some military cooperation. Thus, Ford continued with the relaxation of the arms embargo and tighter security ties between the United States and South Africa that Nixon had started. He vetoed every resolution in the United Nations that requested a mandatory arms embargo against South Africa, and even supported the South African military participation in the Angolan Civil War. Ford however denied any military cooperation with South Africa in any field, claiming at the same time that his administration had imposed restraints on communication with the South African Government. Unlike the case with Nixon though, the Ford Administration was soon to be caught out as providing military assistance and equipment to South Africa, many of it through the legal channel of licensing by the United States Department of Commerce.

When Jimmy Carter became United States president in November 1976 as a member of the Democratic Party, he faced an impatient Afro-Asian bloc in the United Nations. This Afro-Asian bloc was frustrated because they had at that stage already been trying for more than a decade to extend the 1963 arms embargo to a full, mandatory embargo. The 1963 United Nations embargo was a voluntary one. Furthermore, they felt that no progress was being made with the independence of Namibia. Thus Carter, like Kennedy in 1963, found himself in a position where a public denouncement of the South African government's apartheid policy was not enough anymore to satisfy the Afro-Asian nations. In addition, Carter found that a public pronouncement of adherence to the 1963 arms embargo, was also a bone of contention for the Afro-Asian nations and other South African critics, especially in the light of the evidence that came to light in 1976 on the Nixon and Ford Administrations' relaxation of the arms embargo. Making matters even worse, was the South African government's crackdown on the black liberation movements and consequent bannings of prominent leaders in October 1977. All these factors led Carter to enter a new phase in the United States policy towards South Africa

- a phase where South Africa became a prime issue in the United States foreign policy and where the first mandatory sanctions ever was instituted against a member state of the United Nations, namely South Africa. Carter's opposition to the apartheid policy did not only stay with mere words. The words went into deeds. He acted by first strengthening the original 1963 arms embargo, and then followed that up with the institution of a new, total, mandatory arms embargo against the South African Government. Thus, it can be said that Carter's implementation of the arms embargo was a direct outcome of his foreign policy objectives, namely to gain the favour of the African nations.

In final conclusion, it can be said that the 1963 arms embargo against South Africa proved to be a thorny matter for all the United States Administrations in the period between 1963 and 1977, and indeed a matter that played a role in the foreign policy of the United States. The Afro-Asian nations were somewhat appeased by the arms embargo in their pressure for sanctions to be instituted against South Africa, but they regarded it as not stretching far enough. Consequently, the different United States governments had to constantly bear criticism on their implementation of the embargo. They succeeded in opposing the pressure for fourteen years until October 1977, when the United States support of South Africa in the United Nations finally bowed the knee before a stricter embargo against that country. On the contrary though, it can also be said that the arms embargo was implemented by each United States Administration from Kennedy to Carter according to what each president felt suited them best in the formulation and execution of their foreign policies. If support for South Africa weighed heavier than support for the African nations during a given time, then the United States foreign policy was adapted to suit that situation. The opposite was also true, leading to the conclusion that the United States was not consequent in the execution of its foreign policy with regard to South Africa.

APPENDIX A

THE UNITED NATIONS SECURITY COUNCIL RESOLUTION ON A VOLUNTARY ARMS EMBARGO AGAINST SOUTH AFRICA

1963-08-07

The Security Council,

Having considered the question of race conflict in South Africa resulting from the politics of apartheid of the Government of the Republic of South Africa, as submitted by thirty-two African Member States,

Recalling the Security Council resolution of 1 April 1960,

Noting with appreciation the interim reports adopted on 6 May and 16 July 1963 by the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa,

Noting with concern the recent arms build-up by the Government of South Africa, some of which arms are being used in furtherance of that Government's racial policies,

Regretting that some States are indirectly providing encouragement in various ways to the Government of South Africa, some of which arms are being used in furtherance of that Government's racial policies,

Regretting the failure of the Government of South Africa to accept the invitation of the Security Council to delegate a representative to appear before it,

Being convinced that the situation in South Africa is seriously disturbing international peace and security,

1. Strongly deprecates the policies of South Africa in its perpetuation of racial discrimination as being inconsistent with the principles contained in the Charter of the United Nations and contrary to its obligations as a Member State of the United Nations;
2. Calls upon the Government of South Africa to abandon the policies of apartheid and discrimination as called for in the Security Council resolution of 1 April 1960, and to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid;
3. Solemnly calls upon all States to cease forthwith the sale and shipment of arms, ammunition of all types and military vehicles to South Africa;
4. Requests the Secretary-General to keep the situation in South Africa under observation and to report to the Security Council by 30 October 1963.

APPENDIX B

TEXT OF SECURITY COUNCIL RESOLUTION ON SOUTH AFRICA

1970-07-23

The Security Council

Having considered the question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Republic of South Africa as submitted by forty Member States.

Reiterating its condemnation of the evil and abhorrent policies of apartheid and the measures being taken by the Government of South Africa to enforce and extend those policies beyond its borders.

Recognizing the legitimacy of the struggle of the oppressed people of South Africa in pursuance of their human and political rights as set forth in the Charter of the United Nations and the Universal Declaration of Human Rights.

Gravely concerned by the persistent refusal of the Government of South Africa to abandon its racist policies and to abide by the resolutions of the Security Council and of the General Assembly on this question and others relating to southern Africa.

Gravely concerned with the situation arising from violations of the arms embargo called for in its resolutions 181(1963) of 7 August 1963, 182(1963) of 4 December 1963 and 191(1964) of 18 June 1964.

Convinced of the need to strengthen the arms embargo called for in the above resolutions.

Convinced further that the situation resulting from the continued application of the policies of apartheid and the constant build-up of the South African military and police forces made possible by the continued acquisition of arms, military vehicles and other equipment and of spare parts for military equipment from a number of Member States and by local manufacture of arms and ammunition under licenses granted by some Member States constitutes a potential threat to international peace and security.

Recognizing that the extensive build-up of the military forces of South Africa poses a real threat to the security and sovereignty of independent African States opposed to the racial policies of the Government of South Africa, in particular the

APPENDIX B

TEXT OF SECURITY COUNCIL RESOLUTION ON SOUTH AFRICA 1970-07-23

The Security Council

Having considered the question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Republic of South Africa as submitted by forty Member States.

Reiterating its condemnation of the evil and abhorrent policies of apartheid and the measures being taken by the Government of South Africa to enforce and extend those policies beyond its borders.

Recognizing the legitimacy of the struggle of the oppressed people of South Africa in pursuance of their human and political rights as set forth in the Charter of the United Nations and the Universal Declaration of Human Rights.

Gravely concerned by the persistent refusal of the Government of South Africa to abandon its racist policies and to abide by the resolutions of the Security Council and of the General Assembly on this question and others relating to southern Africa.

Gravely concerned with the situation arising from violations of the arms embargo called for in its resolutions 181(1963) of 7 August 1963, 182(1963) of 4 December 1963 and 191(1964) of 18 June 1964.

Convinced of the need to strengthen the arms embargo called for in the above resolutions.

Convinced further that the situation resulting from the continued application of the policies of apartheid and the constant build-up of the South African military and police forces made possible by the continued acquisition of arms, military vehicles and other equipment and of spare parts for military equipment from a number of Member States and by local manufacture of arms and ammunition under licenses granted by some Member States constitutes a potential threat to international peace and security.

Recognizing that the extensive build-up of the military forces of South Africa poses a real threat to the security and sovereignty of independent African States opposed to the racial policies of the Government of South Africa, in particular the

neighbouring States.

1. Reiterates its total opposition to the policies of apartheid of the Government of the Republic of South Africa;
2. Reaffirms its resolutions 181(1963), 182(1963) and 191(1964);
3. Condemns the violations of the arms embargo called for in resolutions 181(1963), 182(1963) and 191(1964);
4. Calls upon all States to strengthen the arms embargo
 - (a) by implementing fully the arms embargo against South Africa unconditionally and without reservations whatsoever;
 - (b) by withholding supply of all vehicles and equipment for use of the armed forces and paramilitary organizations of South Africa;
 - (c) by ceasing supply of spare parts for all vehicles and military equipment used by the armed forces and paramilitary organizations of South Africa;
 - (d) by revoking all licenses and military patents granted to the South African Government or to South African companies for the manufacture of arms and ammunition, aircraft and naval craft or military vehicles and by refraining from further granting such licenses and patents;
 - (e) by prohibiting investment in or technical assistance for the manufacture of arms and ammunition, aircraft, naval craft or other military vehicles;
 - (f) by ceasing provision of military training for members of the South African armed forces and all other forms of military co-operation with South Africa;
 - (g) by undertaking the appropriate action to give effect to the above measures;
5. Requests the Secretary General to follow closely the implementation of the present resolution and report to the Security Council from time to time; and
6. Calls upon all States to observe strictly the arms embargo against South Africa and to assist effectively in the implementation of this resolution.

APPENDIX C

TEXT OF DRAFT RESOLUTION S/12211 CONCERNING NAMIBIA

1976-10-19

The Security Council,

Having considered the statement by the President of the United Nations Council for Namibia,

Having considered the statement by Mr. Sam Nujoma, President of the South West Africa People's Organization (SWAPO),

Recalling General Assembly resolution 2145(XXI) of 27 October 1966, which terminated South Africa's mandate over the territory of Namibia, and resolution 2248 (S-V) of 19 May 1967, which established a United Nations Council for Namibia, as well as other subsequent resolutions on Namibia, in particular, resolution 3295 (XXIX) of 13 December 1974 and resolution 3399 (XXX) of 25 November 1975,

Recalling also Security Council resolutions 245 (1968) of 14 March 1968, 364 (1969) of 20 March 1969 and 269 (1969) of 12 August 1969, 276 (1970) of 30 January 1970, 282 (1970) of 23 July 1970, 283 (1970) and 284 (1970) of 29 July 1970, 300 (1971) of 12 October 1971 and 301 (1971) of 20 October 1971, 310 (1972) of 4 February 1972, 366 (1974) of 17 December 1974 and 385 (1976) of 30 January 1976,

Recalling further the advisory opinion of the International Court of Justice of 21 June 1971 that South Africa is under obligation to withdraw its presence from the Territory,

Reaffirming the legal responsibility of the United Nations over Namibia,

Concerned at South Africa's continued illegal occupation of Namibia and its persistent refusal to comply with resolutions and decisions of the General Assembly and the Security Council, as well as with the advisory opinion of the International Court of Justice of 21 June 1971,

Gravely concerned at South Africa's efforts to destroy the national unity and territorial integrity of Namibia, and its recent intensification of repression against the Namibian people and its persistent violation of their human rights,

Gravely concerned by the colonial war which South Africa is waging against the Namibian people, its use of military force against civilian populations and by the widespread use of torture and intimidation by military forces against the people

of Namibia,

Gravely concerned also at the utilization of the Territory of Namibia by South Africa to mount aggression against independent African States,

1. Condemns South Africa's failure to comply with the terms of Security Council resolution 385(1976) of 30 January 1976;
2. Condemns all attempts by South Africa calculated to evade the clear demand of the United Nations for the holding of free elections under United Nations supervision and control in Namibia;
3. Denounces the so-called Turnhalle constitutional conference as a device for evading the clear responsibility to comply with the requirements of Security Council resolutions, and in particular resolution 185(1976);
4. Reaffirms the legal responsibility of the United Nations over Namibia;
5. Reaffirms its support for the struggle of the people of Namibia for self-determination and independence;
6. Reiterates its demand that South Africa take immediately the necessary steps to effect the withdrawal, in accordance, with resolutions 264 (1969), 269 (1969), 366 (1974) and 385 (1976), of its illegal administration maintained in Namibia and to transfer power to the people of Namibia with the assistance of the United Nations;
7. Also demands that South Africa put and end forthwith to its policy of Bantustans and so-called homelands aimed at violating the national unity and the territorial integrity of Namibia;
8. Reaffirms its declaration that in order that the people of Namibia be enabled to determine freely their own future, it is imperative that free elections under the supervision and control of the United Nations be held for the whole of Namibia as one political entity;
9. Demands that South Africa urgently comply with the foregoing provisions for the holding of free elections in Namibia under United Nations supervision and control, undertake to comply with the resolutions and decisions of the United Nations and with the advisory opinion of the International Court of Justice of 21 June 1971 in regard to Namibia, and recognize the territorial integrity and unity of Namibia as a nation;
10. Demands again that South Africa, pending the transfer of power provided for in the preceding paragraphs:

- (a) Comply fully in spirit and in practice with the provisions of the Universal Declaration of Human Rights;
 - (b) Release all Namibian political prisoners, including all those imprisoned or detained in connection with offences under so-called internal security laws, whether such Namibians have been charged or tried or are held without charge and whether held in Namibia or South Africa;
 - (c) Abolish the application in Namibia of all racially discriminatory and politically repressive laws and practices, particularly Bantustans and so-called homelands;
 - (d) Accord unconditionally to all Namibians currently in exile for political reasons full facilities for return to their country without risk of arrest, detention, intimidation or imprisonment;
11. Acting under Chapter VII of the United Nations Charter,
- (a) Determines that the illegal occupation of Namibia and the war being waged there by South Africa, constitute a threat to international peace and security;
 - (b) Decides that all States shall cease and desist from any form of direct or indirect military consultation, co-operation or collaboration with South Africa and shall prohibit their nationals from engaging in any such consultation, co-operation or collaboration;
 - (c) Decides that all States shall take effective measures to prevent the recruitment of mercenaries, however disguised, for service in Namibia or South Africa;
 - (d) Decides that all States shall take steps to ensure the termination of all arms licensing agreements between themselves or their nationals and South Africa and shall prohibit the transfer to South Africa of all information relating to arms and armaments;
 - (e) Decides that all States shall prevent:
 - (i) Any supply of arms and ammunition to South Africa;
 - (ii) Any supply of aircraft, vehicles and military equipment for use of the armed forces and paramilitary or police organizations of South Africa;
 - (iii) Any supply of spare parts for arms, vehicles and military

- equipment used by the armed forces and paramilitary or police organizations of South Africa;
- (iv) Any supply of so-called dual-use aircraft, vehicles or equipment which could be converted to military use by South Africa;
 - (v) Any activities in their territories which promote or are calculated to promote the supply of arms, ammunition, military aircraft and military vehicles to South Africa and equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa and Namibia;
12. Decides that all States shall give effect to the decisions set out in paragraph 11 of this resolution notwithstanding any contract entered into or license granted before the date of this resolution and that they shall notify the Secretary-General of the measures they have taken to comply with the aforementioned provision;
 13. Requests the Secretary-General, for the purpose of the effective implementation of this resolution, to arrange for the collection and systematic study of all available data concerning international trade in the items which should not be supplied to South Africa under paragraph 11 above;
 14. Requests the Secretary-General to follow the implementation of the resolution and to report to the Security Council on or before _____;
 15. Decides to remain seized of the matter.

APPENDIX D

UNITED NATIONS SECURITY COUNCIL RESOLUTION ON A MANDATORY ARMS EMBARGO AGAINST SOUTH AFRICA

1977-11-04

The Security Council,

Recalling its resolution 392(1976) strongly condemning the South African Government for its resort to massive violence against and killings of the African people, including schoolchildren and students and others opposing racial discrimination, and calling upon that Government urgently to end violence against the African people and take urgent steps to eliminate apartheid and racial discrimination,

Recognizing that the military build-up and persistent acts of aggression by South Africa against the neighbouring States seriously disturb the security of those States,

Further recognizing that the existing arms embargo must be strengthened and universally applied, without any reservations or qualifications whatsoever, in order to prevent a further aggravation of the grave situation in South Africa,

Taking note of the Lagos Declaration for Action against Apartheid (S/12426),

Gravely concerned that South Africa is at the threshold of producing nuclear weapons,

Strongly condemning the South African Government for its acts of repression, its defiant continuance of the system of apartheid and its attacks against neighbouring independent States,

Considering that the policies and acts of the South African Government are fraught with danger to international peace and security,

Recalling its resolution 181 (1963) and other resolutions concerning a voluntary arms embargo against South Africa,

Convinced that a mandatory arms embargo needs to be universally applied against South Africa in the first instance,

Acting therefore under Chapter VII of the Charter of the United Nations,

1. Determines, having regard to the policies and acts of the South African Government, that the acquisition by South Africa of arms and related material constitutes a threat to the maintenance of international peace and security;
2. Decides that all States shall cease forthwith any provision to South Africa of

arms and related material of all types, including the sale or transfer of weapons and ammunition, military vehicles and equipment, paramilitary police equipment, and spare parts for the aforementioned, and shall cease as well the provision of all types of equipment and supplies, and grants of licensing agreements for the manufacture and maintenance of the aforementioned;

3. Calls on all States to review, having regard to the objectives of this resolution, all existing contractual arrangements with and licenses granted to South Africa relating to the manufacture and maintenance of arms, ammunition of all types and military equipment and vehicles, with a view of terminating them;
4. Further decides that all States shall refrain from any co-operation with South Africa in the manufacture and development of nuclear weapons;
5. Calls upon all States, including States non-members of the United Nations, to act strictly in accordance with the provisions of this resolution;
6. Requests the Secretary-General to report to the Council on the progress of the implementation of this resolution, the first report to be submitted not later than 1 May 1978;
7. Decides to keep this item on its agenda for further action, as appropriate, in the light of developments.

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